University of Alberta

Making a Case for State Supported Religious Schooling

by

Frances Mae Kroeker

A thesis submitted to the Faculty of Graduate Studies and Research in partial
fulfillment of the requirements for the degree of Doctor of Philosophy

in

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Abstract

In this thesis I develop an argument in defence of state supported religious separate schooling. I begin with an exploration of the case of *Waldman v. Ontario*, which helps to illustrate the conflicting interests of parents and states with respect to religious schooling. Because such cases are made on the basis of individual rights, I begin my argument with a discussion of the religious and parental rights that parents may claim with respect to the education of their children. However, when claims for funding are made solely on the basis of parent's rights, important questions about the nature of the education provided may be overlooked. I present, therefore, a description of the generally accepted goals of civic education in liberal democracies, that is, tolerance for diversity, critical reasoning and democratic deliberation, and the development of autonomous citizens. It is my contention that the goals of civic education can be met in religious schools and that separate schooling does not jeopardize either the aims of state or the interests of the children enrolled in such schools.

Having argued that separate religious schools can meet the goals of civic education, I propose that such schools serve an additional role in preserving the identity of distinct cultural and religious communities against the assimilative effects of majority society. An education from a particular religious or cultural perspective provides children with a stable and coherent upbringing, while facilitating their future autonomy by establishing a context from which to compare and evaluate the diverse ways of life they confront. Finally, I address a number of

concerns with regard to illiberal schools, acknowledging the likelihood that there will be some religious schools that could not be tolerated under liberalism. Throughout my argument I refer to the work of liberal philosophers of education such as Harry Brighouse, Shelley Burtt, Eamonn Callan, James Dwyer, William Galston, Amy Gutmann, and Stephen Macedo. As well, I refer to the work of Charles Taylor, Will Kymlicka, and Jeremy Waldron with regard to minority cultures.

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I. INTRODUCTION

The goal of common education in modern liberal democracies is that all children, regardless of the socio-economic status of their families or their personal abilities, will have access to an education that will prepare them for citizenship and will enable them to live personally fulfilling lives. While there may still be much that could be done to improve the educational systems in many of these democracies, the goal of educating each child is nevertheless one of the most admirable aims of liberal states. Defenders of common education are thus justifiably concerned when they perceive that this aim is threatened. In Canada and the United States, as in other pluralistic democracies, educational authorities today face demands for state supported access to separate schools, made in most cases by religious families who find the secular culture of today's common schools at odds with their values and who wish to educate their children from the standpoint of their particular beliefs. Opponents of religious schooling claim that such schools undermine the goals of public education and will make it impossible for the state to fulfill its educational mandate.

It is my purpose in this study to consider the charge that religious separate schooling necessarily undermines the goals of common education and then to determine how liberal states should respond to claims for funding of such schools. Questions about school choice and religious separate schooling have been widely addressed in recent years by politicians, educators, economists, sociologists, and philosophers of education. It is my intention to approach the question of state support for religious schools from a philosophical perspective, rather than to look for historical, legal or constitutional interpretations, or to consider the practical or economic implications of separate schooling, although all of these may be referred to in the course of the argument. As this is a philosophical study, I am very much concerned with discovering the principled or moral response to the question being considered. At the same time, although this is not an analysis of policy, it is my belief that philosophical arguments should guide the formation of public policy and so the two are not entirely distinct. Tony Smith (1991) provides an excellent description of the role of philosophical discourse in social theory and, in particular, policy analysis. Smith sees social theory as divided into three distinct but connected branches of inquiry: social science, social ethics, and social policy. In each of these branches philosophical speech plays a role in articulating the categories scientist employ (categorical-ontological discourse), in reflecting on matters of truth (epistemological discourse), and in considering the norms and values held by individuals and communities (normative discourse).

In the branch of social theory Smith identifies as social ethics, philosophy must conduct an ethical evaluation of the social systems and practices that social scientists have described. Based on that evaluation, philosophers build normative models that define the ultimate end of our actions, something that Smith says philosophers have been doing "at least since Plato's *Republic*" (Smith 1991, 20). The model so constructed is an ideal "to which reality ought to be made to conform through social policy" (20). It is up to policy analysts, however, to propose strategies and tactics that will move us closer to the model that is our ultimate goal. Thus philosophy and policy formation become an integrated process.

I am situating my discussion in an understanding of liberalism that assumes individuals have certain rights that determine the responsibility of liberal governments towards citizens. Therefore, if it can be determined that an individual has a particular right, the state must take some role in facilitating access to that right or at least ensuring that such access is not hindered. If it is determined that parents have a right to educate their children in religious separate schools, then the state should have some role in ensuring that this goal is attainable. Furthermore, liberalism is characterized by certain key values such as tolerance and personal autonomy. When these values form the focus of liberal educative projects they frequently appear to be in tension. On the one hand, liberals tolerate diversity, or, in other words, respect the right of individuals to live according to their own particular beliefs and values. On the other hand, liberal civic education seeks to ensure future autonomy by encouraging students to question the particular way of life in which they have been raised. This tension is a central issue in the debate over separate and common schooling. How we resolve this tension will determine in part how liberal governments should respond to demands for separate school funding. If we respect the right of parents to live according to a particular belief system, then we may agree that they have the right to raise their children accordingly. If, on the other hand, we believe that children's right to an autonomous future is undermined when parents educate them from the perspective of a particular faith, we may decline to support such schooling.

Not infrequently, demands for accommodations or access to religious schooling end up before the judiciary and these cases are illustrative of the complex issues involved in making decisions related to separate school funding. It is my intention to use one of these cases as an example of the claims made by parents with regard to religious schooling and as an illustration of the questions that are raised by such cases. In the case I wish to consider, the complainant, Arieh Waldman, charged that he was discriminated against by the government of the province of Ontario on account of its inequitable school funding policies. Waldman's claim was motivated by his interest in having the state support religious separate schooling. The province of Ontario argued in response to this claim that it was responsible to provide common schooling for all children and that providing access to religious schools could harm those efforts. The case is thus illustrative of the conflicting interests of parents and states with respect to religious schooling.

The Waldman case is situated in a particular historical and geographical setting, lending it some peculiarities not common to cases in other parts of Canada or in other countries. Waldman's case has roots in the historical compromise required to achieve Canadian confederation in a community divided along nationalistic, and thus cultural, religious and linguistic lines. Ontario's unusual educational funding policy resulted from attempts to ensure the protection of the Catholic minority in the province and thus gain their support for confederation. While the Constitution Act of 1867 gives full jurisdiction of education to the provinces, it also guarantees the right to denominational education in order to protect the Roman Catholic minority in Ontario. It is thus the practice in Ontario to fund both Catholic schools and the common schools that have evolved from formerly Protestant schools. Ontario residents have the freedom to establish private schools, including private religious schools, but no such schools receive any state funding. In some respects this education funding policy resembles that in Great Britain where for a number of decades Church of England and Catholic families had access to funded religious schools while other religious groups did not (Walford 1994).

Because the Waldman case has a particular Canadian setting, some of the terminology is uniquely Canadian. In the province of Ontario in which this case occurs, Catholic schools are fully funded and are referred to as separate schools. Schools that are funded through tuition fees or private or corporate donations are referred to as private schools. More commonly, the term separate school identifies those schools whose students have been withdrawn from common or public schools. Such separate schools may be publicly or privately funded and may educate from a particular philosophical, pedagogical or religious perspective. In this document, I use the term separate school to identify such particular schools, making clarifications where necessary with regard to the unique Canadian situation. Common schools, then, are those schools that educate all children from a presumably neutral perspective, at least as far as judgments regarding particular ways of life or religions are concerned. Separate schools are those that educate a particular community of children from a specific perspective, whether religious or other. Throughout this study, I refer to schooling as the physical organization of schools, as in separate or common schools, and education as the curriculum or instruction that is given in those schools. While I am concerned mainly with religious separate schooling, many of the arguments for such schooling are also relevant to claims for other kinds of separate schooling.

The setting for the Waldman case is peculiar to one particular Canadian province. However, the case of *Waldman v. Ontario*, while unique in some aspects, is in other ways demonstrative of the current interest in separate schooling in Canada, the United States, and elsewhere. Increased interest in school choice has been attributed to a number of factors, including the secularization of society and the discomfort of religious families with the secular nature of common schools, the influence of the market model on education policy, the concern with academic achievement levels, and the interest in equality of educational opportunity generated in part by the dismal state of schooling in some inner city schools (Brighouse 2002, Halstead 1994, Biggs & Porter 1994, Brown 1994). Demands for separate school support have resulted in challenges to funding policies and generated a great deal of political debate in both Canada and the United States, and questions raised by the Waldman case reflect the concerns voiced by parents and state officials in both these nations. The case is therefore an appropriate means of demonstrating the issues that arise in conflicts over religious separate schooling. What is true for the Waldman case would be relevant not only in Ontario or Canada, but would have implications for religious separate schooling in any pluralistic liberal democracy.

Waldman v. Ontario

On February 29, 1996, the United Nations International Committee on Civil and Political Rights received a complaint from Arieh Waldman, an Ontario father who claimed that he had been discriminated against by the Ontario government, which unfairly favored his Catholic neighbors in the matter of funding for religious education. Ontario residents have the freedom to establish private religious schools like the Jewish day school Waldman's children attended, however, they do not receive any government funding for the operation of such schools. Roman Catholic schools, on the other hand, are designated by the province as separate rather than private schools, and receive full public funding. In his claim to the United Nations, Waldman argued that to provide funding for Catholic schools but to deny the same funding to other religious schools is to engage in religious discrimination. Waldman contended that "the conferral of a benefit on a single religious group cannot be sustained" and that the Constitution Act of Canada 1867 is in violation of the terms of the International Covenant on Civil and Political Rights of which Canada is a signatory (International Covenant on Civil and Political Rights, Sixty Seventh Session, hereafter referred to as CCPR, 1999, 3.1). The financial hardship he experienced in educating his children in Jewish schools impaired his right to practice his religion in a way that was not experienced by his Catholic neighbors.

Waldman took his case to the United Nations after options in Canadian courts were exhausted. Canadian courts have already established that parents have a right to withdraw children from schools for religious or other reasons and provide them with an alternative form of schooling. In the 1978 case of *Wiebe v. Regina,* for example, a group of Mennonite parents in Alberta were charged with violating compulsory school attendance laws. They were acquitted when the judge agreed with the parents' claim that education is an expression of their religious beliefs and that they have a right to educate their children in a school system where the entire curriculum would refer to their religious faith.

However, efforts to claim funding for religious schooling have so far failed. In the 1996 case of *Adler v. Ontario,* a number of families sought financial compensation for religious schooling largely on the basis of religious rights, arguing, in part, that if Catholic schools receive support other religious groups are also entitled to public funding. The Supreme Court of Canada, however, ruled that funding of Ontario's Catholic schools to the exclusion of other religious schools was legal. The justices argued that funding for Catholic schools was guaranteed by Section 93 of the Constitution Act, "the product of an historical compromise," and that other religious groups do not fall under this claim (*Adler v. Ontario*, 611). "The distinction between Roman Catholic Schools and other religious schools is constitutionally mandated and cannot be the subject of a charter attack" (614). It was after this decision that Waldman took his case to the UN, arguing that the Canadian constitution discriminated against him.

In its response to the charges of discrimination brought against it by Waldman, the Ontario government repeated the arguments it had made in the earlier *Adler* case, claiming that in funding Catholic schools it was simply complying with its constitutional obligation and that it has no such obligation to fund other religious schools. The province provides access to non-discriminatory public education for all children regardless of religion and makes no objections if parents choose to send their children to private schools. The province claimed that its funding policy was not discriminatory as no private schools received any funding and all were thus treated equally and fairly. The province, as noted earlier, does not view fully funded Catholic schools as private schools, designating them instead as separate schools and providing them with full support.

The province claimed also that public education is a necessary means to promote a tolerant society. The provincial objective is to provide "tuition-free, secular public education which fosters and promotes the values of a pluralist, democratic society, including social cohesion, religious tolerance and understanding" (CCPR 1999, 4.4.3). Public schools provide a place where people of all races or religions can interact and "come to terms with one another's differences" (4.4.4). According to the government, funding private religious schools would have a detrimental impact on public schools and a negative impact on "the fostering of a tolerant, multicultural, non-discriminatory society in the province" (4.4.3). To fund all religious schools would undermine Ontario's "very ability to create and promote a tolerant society that truly protects all religious freedom" (4.3.4). The province expressed concerns that if such schools were made more accessible through public funding, large numbers of students would enroll in religious schools with the result that public or common schools would serve only those students who were refused admission to religious schools. The funding of religious schools would result in a reduction in the number of programs public schools could offer and could lead to school closures. The result would be reduced access to public education and a loss of rights and freedoms for those who have a right to such access. Funding for religious education, it was argued, could also alter the nature of today's secular public schools. If public funding of religious education was approved, majority religious groups may demand the return of school prayer and dissenting minority groups would be forced either to conform or to withdraw to their own segregated schools. In its conclusion, the province argued that the appropriate balance has been struck by allowing parents the freedom to send children to religious schools at their own expense, effectively arguing for a continuation of the status quo.

On November 3, 1999, the UN committee found that the practice of exclusively funding Roman Catholic religious education in Ontario was a violation of the International Covenant to which Canada was a signatory, and that Waldman's right to freedom from discrimination had indeed been violated. The United Nations Committee rejected a number of Ontario's arguments. It ruled, for one, that if policies are discriminatory, one cannot claim a constitutional obligation. The constitution, if discriminatory, could be amended by agreement between the provincial and the federal governments. The committee also rejected the state's argument that the funding of Catholic but not other religious schools was based on a distinction between public and private schools. Identifying Catholic schools as public is a "bureaucratic construct assigned to one group of ratepayers based on their religious affiliation" and discriminates against those religions that are excluded (CCPR 1999, 5.1). The argument that to fund religious schools would harm the goals of building a tolerant society was also rejected on the basis that funding one religious denomination "encourages the divided society among religious lines that it claims to defeat" (5.2). The UN conclusion thus largely supported Waldman's claims that state funding of Catholic schools constitutes discriminatory support for Roman Catholic education:

> Counsel maintains that when a right to publicly financed religious education is recognized by States parties, no differentiation shall be made among individuals on the basis of the nature of their particular beliefs. The practice of exclusively funding Roman Catholic religious education in Ontario violates the Covenant. Counsel therefore seeks funding for all religious schools which meet provincial standards in Ontario at a level equivalent to the funding, if any, received by Roman Catholic schools in Ontario (CCPR 1999, 5.6).

Following the ruling, the United Nations committee directed Canada to submit, within ninety days, information about how it intended to rectify the situation (CCPR 1999, 10.13). The Ontario government responded promptly, announcing that it had no intention of complying with the United Nations' findings, its ministers reiterating their commitment to the existing funding formula for education in Ontario. In spite of the fact that Canada is one of the signatories of the human rights declaration, spokespersons for the Ontario government declared the UN to be a foreign body to whose ruling Canada is not subject. Though the Canadian government argued that it is helpless to act in this matter because education is a provincial responsibility, the United Nations maintains that it is Canada's responsibility to implement the terms of the covenant. The federal government thus finds itself caught between concern about Canada's international reputation and the determination of the Ontario government to maintain its present policy on the issue of religious schools. While some parties remain hopeful that the Ontario government will eventually be persuaded to change its educational funding policies, they remain at present largely unchanged. Recently implemented tax breaks for parents paying private school tuition fees have satisfied neither the demands of those who want state support for separate schooling nor those who oppose such support.

Questions Raised by the Waldman Case

On the surface the solution to the discrimination found in the unequal funding policies of the province of Ontario may appear straightforward. It is reasonable to conclude that religious discrimination occurs when one religious group is privileged in a way that others are not and that such inequitable policies should be discontinued. As Callan argues,

> The status quo says that only Catholics, along with those sufficiently secularized to find non-denominational schooling congenial, are deserving enough or trustworthy enough to receive public support for their schools, no matter how good by any relevant measure other schools might be. This is morally indefensible religious discrimination if anything is (Callan 2000, 57).

The United Nations argued, rightly I believe, that discrimination cannot be justified by an appeal to a constitutional prerogative. Since such an appeal does not mitigate the injustice, measures need to be taken to change the discriminatory clauses of the constitution. It is not easy, however, to determine what, if any, constitutional guarantees with regard to religious education should replace the current guarantee of access to Catholic schools in Ontario. Of course religious discrimination could be ended by the withdrawal of state support for Catholic and all other religious schools, yet such a course of action would be unlikely to satisfy either Waldman or his Catholic neighbors. It is likely that Waldman made his claim, not because he objected to state funding for Catholic schools, but because he believed all religious families were rightly entitled to state support for the religious education of their children.

Waldman did not appear to have a legal recourse in Canadian courts because Ontario's policy of funding Catholic schools was supported by the constitution of Canada. There is, however, nothing in the Canadian constitution that *prevents* the funding of religious schools: provinces are free to fund religious schools if they choose to do so. In the United States, appeals for state funding of religious schools are most often denied on the basis of the constitution, yet there as well it has been argued that the constitution is wrongly interpreted when it is used to deny funding for religious schools (McConnell 2000, 2002). Indeed, the 2002 American Supreme Court decision regarding the Cleveland voucher system seems to uphold this view (ABCNEWS.com, June 27, 2002). Thus, in neither Canada nor the United States can state support of religious schooling be denied on constitutional grounds.

However, while constitutional issues are at the center of the *Waldman* case, I do not plan to focus this study on interpretations of the constitution. Rather, I want to consider the question of whether governments of modern liberal democracies have an obligation to provide access to a variety of schools, including religious schools, or whether there are good reasons why such choice should be limited. My question is not whether current public policies confer this right or whether current interpretations of the constitution do or do not allow for funding of religious schools, but whether parents *should* have the right to religious separate schooling for their children and, if so, whether liberal governments *should* offer state support for that schooling. My aim, in other words, is to develop a response based on moral principles.

Arieh Waldman argued that his rights were violated by the denial of funding for the Jewish day schools his children attended. Are there rights he can claim, in addition to the petition for equal treatment, that would entitle him to state support for the education of his children in religious schools, either on the basis of his religious freedom or as part of his responsibilities as a parent? In the proceedings of this case there is little mention of the children themselves, but it would seem crucial to consider their rights as well. Do children have rights that override parental rights to choice in education or that, alternatively, entail state funding for religious schooling? I begin my inquiry in Chapter Two with a brief look at the rights Waldman may claim to hold in this case, since in most cases demands for separate school funding are made on the basis of individual rights.

Claims on the basis of individual rights, religious or other, may fail to take into consideration the nature of the education that is offered in separate schools or the effect that such funding may have on state educational goals. In the Waldman case, the Ontario government argued that the primary purpose of public education is to foster tolerance and respect for diversity, and that funding religious schools would jeopardize the legitimate aims of civic education. The United Nations response to this argument seems to imply that the province could better promote tolerance by funding a variety of religious schools than by confining its efforts to common schools. We cannot assess either of these claims until we have determined the proper aims of civic education in a liberal democracy. Having established what goals civic education in a liberal democracy must strive to meet, we can then ask whether such aims can be met through separate as well as common schooling. In the third chapter of this thesis I explore the models of civic education presented by a number of prominent philosophers of education with a view to defining the most important goals of civic education in liberal democracies. I then explore the possibility that these aims can be met in both separate and common schools.

In the fourth chapter, I address the question of whether separate schooling in fact serves a unique purpose in liberal societies. No doubt, Waldman's motive in sending his children to Jewish schools was to ensure that they would grow up with an understanding of the Jewish faith and culture. In pluralistic democracies, individuals may find their distinctive cultures eroded by the dominant society. It may be their right, as individuals, to establish institutions that enable them to maintain their distinctiveness in the face of the assimilative force of the majority culture. If this is so, should liberal states support separate schools as one means of enabling individuals to preserve their particular identities? Finally, in Chapter Five, I briefly discuss the problem of schools that remain decidedly illiberal and consider what should be the proper liberal response to such schools.

All of these questions have been widely addressed in recent philosophical literature. The literature demonstrates the complexity of the issue and serves to define what is at stake in the matter of parental choice in education. In a pluralistic democracy it is inevitable that we are going to encounter disagreement about things that matter a great deal to people. While there is broad agreement on some of the purposes of liberal civic education, there is a wide divergence of opinion on others. It is my intention in this thesis to consider the reasonableness of the various perspectives, to decide which conclusions to accept and why, and to determine which views to challenge. Having done so, I hope to offer a response to the central question raised by the Waldman example: can a sound case be made for state support of religious separate schools?

While it is my intention to make a case for state funding of religious schools and to show that such schools can offer a satisfactory civic education while meeting the needs of minority groups in fostering their particular ways of life, at no time do I mean to leave the impression that the common school is not an essential good in our liberal democratic society. Those minorities who want to provide a distinctive education for their children are, after all, minorities, and so enrolment in separate schools is unlikely to increase dramatically even if religious schooling becomes more accessible because of state support. According to John Olthuis, who has analyzed enrolment statistics for alternative schools in Canada, "groups organize alternative schools because of deep educational convictions, not because financial aid is available" (Olthuis 1986, 125). The statistics he refers to show that enrolment in alternative programs in 1981 stood at 4.3 percent of total enrolment, up from 2.4 percent in 1971, a minimal increase in spite of increased public funding for alternative schools during that period. The vast majority of school children will continue to enroll in common schools, regardless of state policy with respect to the funding of religious schools. Separate schooling provides a complement to, but not a replacement for common schooling. Common schools play, and will continue to play, a vital part in ensuring that all children receive an education that will prepare them to live meaningful lives as adult citizens. This is a role that can never be fully met by the separate schools that draw students based on very particular needs. I would, furthermore, view the extension of funding to religious schooling as a way of bringing separate schools into the state supported educational system, rather than seeing this as in any way undermining that system.

II. MY CHILDREN, MY FAITH: RIGHTS IN EDUCATION

Religious Rights

Claims for state support of separate schooling are generally made on the basis of individual rights. In this chapter I will consider what religious or parental rights may lead citizens in liberal democracies to claim funding for religious schools. In the case presented in the introduction, Arieh Waldman claimed that his rights had been violated because the peculiarities of school funding policy in the province of Ontario denied support for the Jewish schools his children attended, while fully supporting provincial Catholic schools. When one religious group is privileged in a way that others are not, it seems an obvious case of discrimination. However, the inequity in this case could be cleared up in more than one way. The U.N. committee charged with investigating the case argued that, while the constitution addressed an historical situation in which Roman Catholics were disadvantaged, today's Catholics are no more vulnerable than, for example, the Jewish community represented by Waldman. The province could, therefore, simply stop funding Catholic schools. However, this suggestion would satisfy no one. The province has no intention of discontinuing its policy of funding Catholic schools, due no doubt to the political pressure it would face in doing. Officially the province has taken the position that it must continue to fund Catholic schools in order to honour an historical agreement and protect minority religious and educational rights. Waldman, who is clearly a member of a minority that is not protected under this agreement, would nevertheless agree that state support for Catholic schools should continue. His goal in petitioning the United Nations was not simply to gain equal treatment, but to secure state funding for all religious schools. But to be successful in his appeal, he must claim some other right than the right to equal treatment.

Can Waldman or any other parents claim religious rights that would entitle them to state support for religious separate schooling? To claim such a right one would have to argue that the right to practice one's religion entails the right to educate one's children from a religious perspective. Religious freedom, the right to practice one's religion without interference, is a relatively uncontested right in liberal societies. But can parents claim that educating their children falls within the scope of religious rights? Certainly, parents who take religious beliefs seriously would want their children to develop an understanding of their faith and would no doubt consider it their right to teach their children in accordance with their beliefs. They could argue that religious texts, such as the Bible, instruct adherents to train their children in their faith: "Assemble the people before me to hear my words so they may learn and may *teach them to their children.* … These commandments that I give you today are to be on your hearts. *Impress them on your children*" (Deuteronomy 4:10 and 6:7). If the tenets of their faith require that they do so, then parents could claim that when they take their children to religious observances or teach them the ways of their faith, it is the parents who are exercising their religious rights.

The right to raise one's children according to one's particular religious beliefs has already been established in Canada and the United States and in most pluralistic democracies, and parents are free in both nations to withdraw their children from common schools to enrol them in religious schools. Canadian courts have long acknowledged that, for some parents, having their children educated according to their particular faith is an integral part of their religious practice. In the 1957 *Chabot* case, the court stated that freedom of worship was a right that was recognized and protected in Canada and included the "right of a parent to have his children follow the religious training of the parent's choice" (*Chabot v. Les Commissiares d'Ecoles de Lamorandiere*). Years later, in the 1978 case of *Wiebe v. Regina* (see page 6), the right to separate schooling was granted on the basis of the religious rights of the parents who claimed that because education was an expression of their religious beliefs they had a right to educate their children in a school system where the entire curriculum would refer to their religious faith. The judge in the case concurred, arguing that compulsory attendance in common schools in this case infringed on the parents' right to freedom of religion. More recently, the Saskatchewan ministry of education issued this statement:

> Subject only to such reasonable limits as prescribed by law as can be demonstrably justified in a free and democratic society, parents have the rights and responsibility to provide for the education of their children in accordance with their religious convictions … Based on The Charter, the common law, and international declarations to which

> Canada has assented, it is indisputable that parents have this right (Saskatchewan Education 1990, 49).

To give parents the right to educate their children in their religious beliefs, then, is to acknowledge the parents' right to religious freedom. However, some philosophers of education would deny that parental religious rights should allow parents to claim any authority over their children's education, arguing instead that parents who wish to give their children an education in a particular faith should do so outside of regular school hours. Amy Gutmann, for example, argues that while parents are not prevented from fostering deep religious beliefs in their children, they are limited as to the authority they may claim over their children's public education (Gutmann 1995). In Gutmann's mind the aims of common education do not undermine a commitment to deeply held personal beliefs and there is therefore no reason to defer to religious parents who want accommodations within common schools. According to Gutmann, " any defensible standard of civic education must be committed to prepare children for the rights and responsibilities of citizenship even over the opposition of their parents" (Gutmann 1995, 567).

As long as we consider children to be future citizens, Gutmann holds that the demands of civic education must take precedence over the religious freedom of their parents. In the case of *Yoder v. Wisconsin*, Amish parents were exempted from sending their children to public high schools on the basis that such schooling would interfere with training in the Amish way of life. Gutmann argues that the education the Amish were prepared to give their children denies them basic opportunities available to children outside the Amish community and for that reason the Amish should have been required to send their children to public high schools. Amish children, Gutmann argues, are not solely members of their community. They are also potential future citizens and as such must be given an education adequate for citizenship. The religious freedom of the Amish, she says, does not extend to denying their children an education necessary to prepare them for full citizenship or for choosing among the diverse ways of life outside their community. "If the minimal conditions of public reasonableness … include a well-reasoned appreciation of the constitutional principle of non-discrimination, then liberal democratic governments may teach children mutual respect even against the deeply held religious beliefs of their parents. Indeed, democratic governments have a duty to do so" (578).

Stephen Macedo is equally outspoken in his defense of common civic education against the right of religious parents to choose alternatives for their children. Like Gutmann, Macedo argues that children are not mere extensions of their parents and that parents' religious rights do not "extend with full force to their children" (Macedo 2000, 202). Macedo acknowledges that public schools deny parents complete authority over their children and may well interfere with their ability to teach their particular beliefs to the children. However, "each of us can reasonably be asked to surrender some control over our own children for the sake of reasonable common efforts to ensure that all future citizens learn the minimal prerequisites of citizenship" (202). According to Macedo, there are no parental interests decisive enough to take precedence over shared civic virtues.

Macedo acknowledges that publicly justifiable principles and programs will place more of a burden on some groups than on others. However, this does not lead him to advocate accommodations for groups who find their philosophical or religious beliefs in conflict with shared virtues. Macedo argues that most parents support the civic aims of public education and that there is no need to design policy for the few who reject those aims. "Why should we apologize if disparate burdens fall on proponents of totalistic religious or moral views who refuse to concede the political authority of public reason?" (Macedo 1995, 484) According to Macedo, we often leap too quickly for accommodation when, instead, the shaping of liberal citizens is our prime responsibility. If liberalism makes it difficult for some parents to pass along their religious beliefs, "so be it" (Macedo 2000, 202). Macedo warns that while we may be tempted to tolerate religious groups now, the problem of "religious enthusiasm" may be exacerbated in the event of a national or military crisis and so we must not hesitate to adopt a more judgmental liberalism now (276).

Macedo argues that if a particular religion or philosophy does not support liberal democratic principles, it is religious truth that must give way. Because liberalism is based on the principles of individual freedom and would in theory allow individuals to live according to their personal versions of the good, Macedo's claim here does not seem truly liberal, nor does it indicate an understanding of the nature of religious belief. Few people believe that they can just choose a religion or adapt its precepts to suit their own idiosyncrasies or the purposes of the state in which they live. Religion is a matter of deeply held beliefs about God that could not be changed on account of state coercion. Macedo should know that it is not religious freedom that "dyed Europe with blood," but rather the failure to allow individuals to live according to their own understanding of religious truth (Macedo 2000, 72). Martyrs of the past gave their lives for religious beliefs. It is hardly likely that today's religious believers will simply submit to the higher authority of liberalism when their predecessors did not yield in the face of torture and death. People cannot simply give up deeply held religious beliefs, for such beliefs are not held merely as a matter of taste or choice.

Religious parents are often depicted as unreasonable and their requests for accommodations judged as harmful to the efforts of the state to provide a liberal education. A great deal has been written, for example, about the case of *Mozert v. Hawkins*, much of it disparaging the fundamentalist parents whose demands to be excused from a particular reading series initiated the case. For the most part the decision not to yield to parental demands in this case is seen as a victory for common schooling, although it is acknowledged that granting concessions might have kept these particular children in the common school system (Macedo 2000, Gutmann 2002, Eisgruber 2002). In most accounts the plaintiffs are described as objecting to harmless stories of men cooking or to stories that describe diverse ways of life and promote tolerance. The plaintiffs' concerns that the reading series "depicted witchcraft and other occult activities, taught that some values are relative and situational and that man and apes evolved from a common ancestor, encouraged students to disrespect their parents, promoted humanistic values," and so on, are most often seen as intolerant and illiberal (Salomone 2000, 122). The plaintiffs' children, it is argued, deserve an education that will expose them to the diversity found in society, teaching them tolerance and respect for others.

At least some of the plaintiffs in the *Mozert* case argued that they merely wanted a fair representation of their perspective to be included in the reading material. The reading series apparently contained stories of non-Christian religions, Eastern and Native American religions, and supernaturalism, but in approximately six hundred poems and stories in the series, "not one depicted biblical Protestantism, life in the Bible Belt, or families or individuals who pray to God" (122). One attorney argued that the parents were not demanding that stories of other religions be taken out, but that their side be told as well. "When you show a Buddhist in a story, put a Protestant in as well" (123). Of course, we cannot know whether all the parents in this case would have accepted the reading series if it had contained stories of Protestant believers or whether the series would have continued to cause offense on other grounds. However, the *Mozert* case serves to illustrate the difficulty that religious parents face in having their concerns taken seriously. Parental claims that the reading series in question infringed on their particular religious beliefs were not considered as significant as the risk to liberal and civic virtues should the parental demands in this case be upheld. Macedo, who comments extensively on *Mozert*, writes as follows: "Do people have a moral or constitutional right to opt out of reasonable measures designed to educate children toward very basic liberal virtues, because those measures make it harder for parents to pass on their religious beliefs? Surely not. To acknowledge the legitimacy of the fundamentalist complaint as a matter of basic principle would overthrow reasonable efforts to inculcate core liberal values" (Macedo 2000, 202).

Religious beliefs must, in this view, give way to liberal values. Such a position does not seem to respect religious freedom. However, James Dwyer would argue that there is no parental religious freedom at stake here. Dwyer argues that children's rights, rather than parental rights or even state interests, must be the focus of any discussion regarding schooling and so no claims can be made on the basis of religious rights. It is the children's rights and not parents' rights that are at issue and parental religious rights do not extend to their children (Dwyer 2002a, 2002b). Perhaps, however, religious rights can be claimed from the perspective of both the student and the parent. Tyll van Geel offers what is effectively a legal challenge against the form of democratic education proposed by Gutmann and Callan (van Geel 2000). Van Geel has an imaginary citizen, "Faith" launch a challenge against "a Callanesque program of political education" (van Geel 2000, 366). He argues that to win her case, Faith must show that the government program of education amounts to a substantial burden on her free exercise of religion. Once this has been established, "the burden shifts to the state to establish that granting the requested exemption would frustrate a compelling state interest and that not granting the exemption is necessary to realize that interest" (359).

Deliberative democrats, according to van Geel, believe that their conception of citizenship education is so important that parents should not be permitted to "exempt their children from instruction in the 'three Rs' – reciprocity, reasonableness, and respect" (van Geel 2000, 366). However, van Geel argues that

Callan's program of political education would "impose a substantial burden on Faith's right to hold her religious beliefs and on the right of her parents to teach Faith those beliefs," presumably because of the emphasis placed on deliberation and autonomous reflection. (367) Van Geel describes Callan's political education program as "too troubling to be embraced," in part because of the effect it would have on religious students who would be subjected to an "acid bath" which would eat away at their personal beliefs. (381) The burden is disparate because children from non-religious homes are not required to question their parents' beliefs in the same way that Faith must. Van Geel is confident that Faith and her parents would be successful in claiming their rights had been infringed upon by Callan's program and that the school would have to grant Faith an exemption.

Van Geel argues that there is no consensus among experts with regard to citizenship education, nor is citizenship education so vital that we deny the rights of participation to those who do not possess the virtues liberalism promotes. Authorities, he says, would have difficulty establishing that religious people were harmful to the public welfare, given the considerable evidence indicating that children who emerge from religious schools are as tolerant as others (van Geel 2000, 370). Nor have religious movements in the United States proved to be harmful to the public welfare or a threat to democracy. Because the state would be unable to claim that the loss of Callan's program would result in harm to the public good, van Geel determines that Faith would soon win her case against compulsory civic education. Religious parents and students, according to van Geel, have the right to reject compulsory common schooling in favor of education that supports their particular views.

Gaining the right to enroll in separate schools is still a long way from securing funding for religious education. For the most part Macedo and Gutmann argue that religious views must give way to liberal values, but even strong promoters of civic education recognize that there may be occasions when we may be inclined to grant concessions to religious parents. Yet claims for funding of religious separate schools have for the most part been unsuccessful. Until the United States Supreme Court ruled in favour of a Cleveland program that granted vouchers to religious schools (ABCNEWS.com, June 27, 2002), it was for the most part assumed that providing vouchers for religious schools violated the American principle of separation of church and state. In Canada some provinces partially fund religious schools even though they are not compelled by the legal rights of parents to do so, choosing perhaps for political reasons to provide limited funding for some private schools. In the *Adler* case, in which the appellants were denied funding for religious schooling, Justice Sopinka argued that a right to practice one's religion does not lead to a right to state support for religious exercises. The government, he held, could not fund all activities that held religious significance for the individual. Were this the case, he argued, then religious marriages, religious corporations, and religious community institutions such as churches and hospitals would all have a claim to public funding (703). Sopinka argued that the fact that some parents send their children to private schools is a result of a personal characteristic and not a result of discrimination arising from the Education Act and is therefore not the responsibility of the government. "The cost of sending their children to private religious schools," he claimed, "is a natural cost of the appellants' religion and does not, therefore, constitute an infringement of their freedom of religion" (703).

In this view, although we acknowledge that parents have a right to send their children to religious schools and that this may be part of their right to free exercise of religion, the state has no responsibility to facilitate access to such a right. Sopinka is right in arguing that the state cannot assume responsibility for the cost of all religious practices. We would not expect the state to fund religious retreats, new church pews, or clergy salaries. But while Sopinka is right on this account, he is also in some respects mistaken. Like Macedo, he shows a certain lack of understanding regarding the nature of religious beliefs. Religion is not, for most people, a mere personal preference, but a belief about what is true and right that does not hinge on personal choice. Sopinka is also wrong to suggest that claims for funding of religious education will lead to claims for the funding of religious marriage ceremonies. The difference in the examples is obvious. The state routinely funds the education of children, but does not fund marriages, whether they are religious or not. In referring to religious hospitals, Sopinka inadvertently suggests an example that would in fact argue in favour of support for religious education. Many Canadian hospitals were founded by religious orders and are now state supported. The reason, of course, is that Canada has assumed responsibility for health care and funds both religious and other institutions that provide that care. It is not clear why this same principle does not hold for education. If the state funds education for all children, why does it not do so for children in religious schools? The refusal to fund religious schools is not so much a failure to grant funding for religious activities as it is a withdrawal of the support parents would receive for their children's education should they send them to common schools. So, while we grant parents the right to send their children to religious schools, we then penalize them by refusing to fund the child's education in that school. For many, this is hardly granting a right at all, for education is costly and lower income families are unlikely to be able to access a right that apparently cost Arieh Waldman $14,000 annually (CCPR 1999, 1.3). In spite of Sopinka's view on the matter, a reasonable case can be made for state supported religious schooling, based on parents' right for religious reasons to have access to separate schooling for their children and the expectation that the state fund education for all children.

There is at least some support for separate school funding even from philosophers of education who are strong supporters of common civic education. Callan claims that a case could be made for supporting separate schools if it can be shown that the particular aim of separate education cannot be met without separate schooling and that the separate school will successfully meet the ends of common education. Common schools, for example, cannot provide an environment in which the aims of transformative religious education can be met. Such an aim would affect the whole of the child's education, from the study of literature and science to the choosing of a career. Callan claims that if this aim cannot be provided in the common school, then its proponents could likely make a case for separate schooling. "Any morally defensible approach to education under pluralism must acknowledge both the necessity of some common education and the acceptability of at least certain kinds of separate education for those who would choose them" (Callan 1997, 166).

Callan suggests that there may be more subtle forms of religious discrimination than that experienced by Waldman that would also cause us to be inclined to grant support for separate schooling (Callan 2000). Children in common schools may find that they face a great deal of pressure to conform to the values of the dominant culture. Callan argues that children may not be prepared to defend their particular faith against that pressure, either because they do not yet have a mature understanding of that faith or because they have been made to feel that there is something odd about their faith or their way of life. In this way, says Callan, common schools have a corrosive effect on religious or cultural groups for reasons that have nothing to do with the legitimate goals of civic education. Religious minorities who find that their faith is not treated with respect in the common school and who find their ability to perpetuate their way of life is consequently impaired would, according to Callan, have a legitimate reason to demand state supported religious schools. If the aims of civic education are not significantly impaired by such concessions the government should grant them to avoid discriminating against the minority.

Michael McConnell, who has written widely on the matter of religious rights and freedoms and the implications of those freedoms for education and issues of schooling, argues that the right to religious freedom entails the right to choice in education. He holds that majority preferences in education should not be imposed on religious parents, but that families should be allowed to choose their own educational philosophies in the same way they are free to choose their own religions. Claims that the majority view should determine educational aims fail "to recognize the particular problem posed for families whose understanding of 'educational aims' includes the idea that religious faith is an essential aspect of education, which should be integrated into the curriculum" (McConnell 2002, 100). McConnell argues that religious families are excluded from democratic deliberation regarding education because their religious perspectives are not considered in the democratic process. "The democratic argument" he claims, "can have no force for these citizens" (101). Democratic control of education, according to McConnell, creates a situation where dissenters must allow their children to be educated according to collectively determined curriculum or pay for the alternative from their own resources. "This is an inherently coercive arrangement," one that he claims is "seemingly at odds with liberal principles" (104). The liberal ideal, argues McConnell, would allow families a combination of private and public educational choices. Current choice proposals that exclude religious options are in McConnell's view unfairly biased against religion. "There is no coherent argument for educational diversity that singles out religion for exclusion" and, he argues, no justice in a system that leaves religious families with no choice in education (132).

Supporters of liberalism who view religious schools as inimical to liberal educative efforts are unlikely to support parental requests for accommodations, or to argue in favour of state support for separate schools. However, if we see liberalism as underwriting religious freedom, then we may treat such requests with more sympathy. For many individuals teaching their children from a religious perspective is an important expression of their faith and on this account liberal states for the most part grant parents the right to place their children in religious schools. However, to merely grant that right while withholding funding for the child's education, effectively denies access to religious schooling to all but wealthy families. Serious consideration of religious schooling as a right would require that states underwrite the costs of that schooling in the same way they provide for common schooling.

Parental Rights

Religious rights aside, a number of proponents of school choice claim that parents must have the authority to determine the kind of education their children will receive on the basis of their rights as parents. Brenda Almond argues that since parents have duties toward children, as it is commonly accepted they do, they should also be assumed to have rights, including the right to educate their children (Almond 1991). Almond goes so far as to say that parents can claim some degree of ownership over their children, as evidenced, for example, by custody battles that frequently follow divorces. Parents, she argues, should be allowed to care for and nurture their children as they see fit, without interference from the state, as long as the children are adequately cared for and not endangered. With regard to education, Almond refers to the Universal Declaration of Human Rights which gives parents "a prior right to choose the kind of education that shall be given to their children" and to the International Covenant for the Protection of Human Rights and Individual

Freedoms which gives primacy to individual parents where education is concerned (Almond 1991, 193). For the state to overrule parents' rights in education, Almond argues, is to oppose the liberal concepts imbedded in these widely accepted rights declarations. "The ultimate determination of any child's individual experience," she writes, should be left "to the maximum extent possible in the hands of the child's own family" (202).

The most controversial of Almond's statements is her claim that parents have ownership of children. Certainly the fact that parents can be forced to pay child support, or that child runaways can be forced to return home, implies a unique relationship between parent and child. But while custody battles may appear to imply ownership of minor children, most of us would prefer to view these disputes as attempts to determine what is best for the child, based on rights held, not by the parent, but rather by the child. However, while parents do not *own* children, they are arguably the best guardians of children's interests. Bonding between parents and children is usually strong, so that children are generally reluctant to be separated from their parents and parents will take extraordinary measures to protect and care for their children. Detractors may be quick to point out the exceptions and describe horrific examples of parental abuse of children. We find it difficult to imagine how parents can deliberately hurt their children, because we expect parents to care for and protect their children as they normally and naturally do. Incidents of abuse fortunately remain the exception, and children for the most part reside safely with their parents. Of course the fact that parents generally care deeply about their children does not make all parents competent caregivers, but it does suggest that parents would in most circumstances be the best guardians of children's welfare. Parents would want to protect their children's interests and ensure that their needs are met. For this reason, and because they know their children better than anyone else could, parents are generally in the best position to make decisions regarding the child's educational needs and should be free to make choices with regard to their children's schooling.

Of course, this position has both supporters and detractors. Educators may question the parent's competence in making educational choices or fear that religious parents will place children in programs that do not give them the best education possible. Gutmann and Macedo seem inclined to recommend intervention when parental choices interfere with the state efforts to provide a liberal civic education. In their view, parents do not have a right to deny their children the education they rightly deserve, and have a responsibility to prepare the child for an autonomous future by exposing them to a wide range of diverse choices. Brighouse argues that if parents have any legitimate claims to be the guardians of their children it is only because in general children's interests are better protected if parents are regarded as their guardians (Brighouse 1998, 737). Brighouse would disagree that parents have a "prior right to choose the kind of education that shall be granted to their children," claiming the children must be prepared to live a life different from that of their parents, and suggesting that religious parents in particular typically make poor educational choices for their children (Brighouse 2000). The state must intervene, if necessary, to ensure that children receive the autonomy-facilitating education they deserve. But there is also widespread support for the claim that parents who have a duty to raise their children must also have parental rights in order to fulfill those duties. Parents must be free to make choices on behalf of the child and, while it remains the responsibility of the state to protect the children from harm, parents should expect a degree of freedom from state interference with regard to child rearing.

While parents have duties to properly care for and protect the interests of their children and to provide them with an acceptable education, Ruddick (1979) argues that these responsibilities must not become overly burdensome. Parents should be given some latitude in the way they rear their children, as unnecessarily close state supervision will only alienate them (Ruddick 1979). Ruddick also argues that the parent cannot be required to open all possible doors for the child. Instead, parents should be expected only to foster a variety of life prospects that lie within the parents' own hopes for the child. In a relatively stable community, the parents would need to prepare the children for only a limited number of such prospects. While children are still able to choose or reject any of the possibilities, it spares parents from fostering life prospects they would find disturbing if realized. Parenting, as he sees it, is a life work that is much more fulfilling if we respect parental interests. While he does not directly address the subject of schooling, Ruddick would seem likely to respect parental choice with regard to what form of schooling they were prepared to give their children. Forcing parents to accept an education they cannot endorse would, in his view, be unnecessarily distressing for the parent and consequently for the child.

Lomasky holds similar views with regard to the project of raising children, arguing that parenting has personal value for the parents who invest a considerable period of their lives in the project (Lomasky 1987). Raising children, he argues, gives significance to one's life in the way that the creation of a great work of art may give meaning to the life of an artist. For this reason, the decisions they make with respect to their children matter a great deal to parents. A liberal society, says Lomasky, should do its best to maximize the value of the parental project by allowing the parents as much choice as possible with regard to their children and their children's education. Parents may sometimes make poor educational choices, but are not likely to do so any more frequently than government bureaucracies may. Lomasky argues that while we may at times disagree with the choices that parents make, this does not mean that we have a right to impose our values on them. Like Ruddick, Lomasky recognizes that a child's choices are likely to be influenced by parental decisions and values, but argues that this is not likely to be harmful. It is perfectly permissible for parents to inculcate in their children values they themselves hold. All that is required of the parent is to ensure that their children come to hold some values and ends as their own and do not become merely servile.

However, any rights we grant parents over their children's upbringing must be granted in the best interests of the children themselves. Shelley Burtt argues that before we can decide who has authority over education, we must consider the limits of state and parental authority over children in general (Burtt 1994, 1996). To date, she says, American courts have produced a patchwork of rulings that do not give any consistent vision to the scope of parents' rights and responsibilities in rearing *their children*. Any solutions that have been offered by theorists have failed to take into account parental rights to shape the moral and religious environment of the child. Burtt proposes that such rights can be given greater accommodation without sacrificing society's right to protect children from maltreatment. Burtt claims, however, that parents' choices should not be granted simply because of a "supposed sovereignty of parental will," because to do so privileges the parents at expense of the children (Burtt 1996, 421). It would be better to claim parents' rights over children on the basis of children's needs. Their authority over children would thus be dependent on their willingness and ability to meet the needs of the children and to provide them with the education necessary to develop into competent flourishing adults. This proposal, says Burtt, shifts the debate from a struggle between competing parental and state interests to a focus on the rights of children. According to Burtt, the state must determine what factors enable adults to effectively provide for children's needs, for the community has some responsibility to ensure that the child's parent, whether biological or appointed guardian, can succeed at the difficult task of parenting.

Burtt does not argue that the authority of parents is limitless. Parents whose educational choices would prevent children from developing the ability to perform their social and civic responsibilities should not expect to have their choices respected by the state. The state, she argues, has a legitimate interest in developing democratic citizens. Parental authority should also be limited when the independent claims of children differ from those of their parents. Children should be given some awareness of life beyond the bounds of their particular families, although given the pervasiveness of today's "largely secular, highly commercialized mass culture" it is unlikely that parents would be able to shield their children entirely from such exposure. (Burtt 1996, 433) As far as all of these conditions are met, Burtt claims, parents should be assisted in their efforts to foster distinctive moral, cultural, or religious environments in order to prepare their children to live a particular life within the larger community.

Can we conclude that parents have a right to choose the kind of education their children will receive? Those who object to parental choice generally do so on the grounds that children must be given an education for autonomy that necessarily includes exposure to a wide range of ideas and that teaches children to think critically in regard to their own choices (Brighouse 2002, Macedo 2000, Gutmann 1995 & 1996, Callan 1997 & 2002). Those who argue that parents must have the right to make choices for their children frequently do so on two accounts. For one, rearing children is a large and burdensome task that must be made as meaningful as possible for those who undertake it (Callan 1997, Lomasky 1987, Ruddick 1979). Secondly, parents are in the best position to provide care for the child and, given this responsibility, must be allowed to choose how they will carry it out (Burtt 1994, 1996). On both accounts the state must allow those who parent to do so without unnecessary interference or imposition.

The best decision we can make with regard to parental rights in choosing an education for their children may be to follow the course of action we normally take with regard to other aspects of child care. Parents are generally free to raise their children as they see fit unless they harm the child or fail to provide the necessary care. We may think that parents should send carrots instead of cookies in their child's lunch, but short of providing information with regard to proper nutrition, we do not interfere as long as the child is nourished. In the same way, the state must ensure that children receive an education that will prepare them for citizenship and will enable them to live personally fulfilling lives, but should leave parents free to make specific choices with regard to schooling. Parents may, after all, just as often as the state make good choices regarding the education of their children (Lomasky 1987). We might argue that is largely a reflection of current policy, for parents are free to choose common or separate schooling, or even to school their children at home. However, if we are committed to allowing parents the freedom to make choices for their children, particularly choices regarding education, then we are back to arguing that the state must also provide support to make such choice possible. Without funding for alternative schooling, less wealthy parents do not really have any choice at all. The state could, however, make choice possible by agreeing to fund separate schooling.

Changing the Focus of the Discussion

Waldman's claims for religious school funding were made on the basis of rights he held as an adult. Because it was Waldman who had to bear the cost of schooling for his children it seems reasonable that this particular suit was launched on his behalf. Children, it seems, are rarely consulted on matters relating to their education, no doubt because they are considered too young to grasp the implications of any decisions that are made, or in cases that involve court proceedings, because parents want to protect their children's privacy. It is important, however, that any decisions made with regard to their education consider the rights and needs of the children in question, for it is their future that will be affected by the education they receive. Just as the state has the responsibility to ensure that children are physically safe and cared for, so it must also ensure that children's educational needs are met.

Any educational program chosen by the parent should meet basic standards set by the state, so that the child is not unnecessarily disadvantaged. James Dwyer has made children's educational needs the focus of his attention, arguing that any decisions made with regard to education and educational funding must make the interests of the child the primary consideration (Dwyer 1998, 2002a, 2002b). Dwyer is an outspoken critic of sectarian educational efforts, criticizing them for their failure to promote tolerance or entertain competing views, teach children cognitive skills, develop self-esteem, or recognize the equal rights of female students. Much of what Dwyer says about religious parents and their educational efforts is provocative: he argues, for example, that parental dismay at the prospect of their children rejecting their faith has no bearing on questions regarding their education and that religious conservative fears that liberal education will undermine their children's faith are "unimportant" (2002a, 334).

Whether or not we agree with Dwyer's criticism of religious schooling, we may find his recent conclusions surprising (Dwyer 2002a, 2002b). Dwyer's argument is based mainly on educational policy in the United States where the right to religious schooling has long been established as a constitutional right. Dwyer does not challenge that right, but argues that if the state allows parents to withdraw their children from common schools it cannot then abdicate its responsibilities to those children. While he does not argue for religious schooling, Dwyer argues that the state has a responsibility to the children who are enrolled in such schools and should therefore provide funding for their education. Dwyer insists that because children's needs must be the focus of our concerns, the state should provide vouchers for students whose parents choose to send them to religious separate schools. Dwyer reasons that even those religious schools that desire to provide a rigorous educational program for their students are hampered in doing so by the lack of resources. The children in these schools are thus subjected to a less adequate education than their counterparts receive in fully funded common schools. This inequity is an injustice to the students who are placed in religious schools by their parents. Children, says Dwyer, have no control, legal or otherwise, over the education they receive, and it is therefore up to the state to act on the behalf of children and ensure that their needs are met. Dwyer argues that if the state allows religious schools to operate, it is also responsible to ensure that the children in these schools receive an equitable share of educational resources.

Funding religious schools would also give the state grounds on which to regulate those schools. Currently religious schools in the U.S. are not subject to state regulation and little can be done to ensure that children in these schools receive an adequate education. Dwyer argues that were such schools to become the recipients of state funding, the state could require that the education provided meet state standards. Compulsory attendance laws, says Dwyer, indicate that education is an essential good. He claims it is an injustice that some children are prevented from accessing this good because of the poor quality of the schools in which they are enrolled. He argues that the regulation of religious schools will ensure academic quality and fair treatment of children. He believes religious schools are likely to be responsive to such regulations, for education is a costly venture, and state support would be welcomed even at the loss of some autonomy.

The fact that some liberal democracies have already successfully implemented policies to fund and regulate religious separate schools makes Dwyer's proposal seem quite feasible. The Netherlands and Belgium, for example, provide full support for denominational schools (De Jong and Snik 2002) and some Canadian provinces provide at least partial funding for religious schools. In the province of Alberta, for example, religious and other independent schools receive state funding amounting to approximately seventy-five per cent of the per pupil education grant received by public schools. (Independent school supporters are quick to point out that this in fact amounts to less than forty per cent of the money public schools actually receive when other grant categories are taken into consideration. See, for example, comments by Duane Platinga of the Association of Independent Schools and Colleges of Alberta in the Edmonton Journal, January 2, 2003, page A19.) In Alberta, religious schools that receive grant money fall under the regulation of Alberta Learning, the state's department of education, and must hire qualified teachers, follow the prescribed provincial curriculum, and administer provincial testing programs. In at least three Alberta jurisdictions, religious schools have come under the governance of public school boards and receive the entire per pupil education grant. Students in these schools receive an education that is equal in quality to that received by students in provincial common schools, and are prepared, upon graduation, to enter any post-secondary program. Based on this example, it seems safe to predict that Dwyer's proposal would accomplish the aims of providing an equitable education for all children. The challenge that is faced by advocates of state funded religious schooling is to convince both state representatives and the American public that such a system is a viable option. Some religious parents and some religious schools would be reluctant to accept state funding if it meant relinquishing control of the education their children receive. Liberal educators would no doubt remain sceptical about the nature and quality of the education children would receive in religious schools, particularly with respect to the promotion of liberal values.

Dwyer's intent is to focus the voucher debate on the needs of the children whose education is at stake. While parental interests and rights cannot be ignored, it is important to remember that children will be most affected by the education they receive and that decisions with regard to education must be made with their needs in mind. Most often legal battles over education are fought over the conflicting interests of parents and the state. Yet when the state chooses not to fund schooling for some children, it is the children's interests that are at risk. Even so, the quality of education Waldman's children were receiving in religious schools was never at issue in the case of *Waldman v. Ontario*. In fact, the only concern with quality of education was raised by the state, which argued that goals of common education would be undermined if it were forced to fund religious separate schooling. If this were the case, or if the education children received in separate schools was known to be insufficient to meet their needs, then there would be good reason to resist appeals to fund such schools.

When claims for funding are made solely on the basis of parental rights important questions about the kind of the education children receive may be overlooked. Changing the focus of the discussion to consider the educational needs of the children means that we must discuss not only parental rights but also the nature of the education that is provided in separate school, for we must ensure that all children receive an adequate education. While most cases regarding choice in education are fought over individual rights, I would like to put the question of parental rights aside and address the issue that was raised by the state in the Waldman case. Does religious schooling undermine the goals of common education? In the next chapter, I first identify the legitimate goals of common education and then endeavour to show that these goals can be met in separate as well as common schools. If religious schools can be shown to meet these goals then concerns over the quality of education children are receiving in religious separate schools can for the most part be laid to rest. Of course, if state goals for education are met in separate schools, it could also be argued on those grounds that the state has some responsibility for providing support for such schools. However, providing a good civic education is only one of the functions of separate schooling. I will argue that separate schools also play an important role in allowing minority groups to maintain their identities and provide children with an education informed by their particular culture, whether religious or other. Whereas Dwyer argues for state funding of religious schools in spite of the reservations he has about such schools, I will argue that we should fund separate schools because they play an important role in educating children in pluralistic democracies.

III. CIVIC EDUCATION IN SEPARATE SCHOOLS

Defining Civic Education

In *Waldman v. Ontario*, the defense argued that the government was responsible for the provision of civic education appropriate for a diverse liberal society and that funding religious schools would undermine the state's ability to fulfill this responsibility. To determine whether this claim is true or whether in fact religious schools should be fully funded as the complainant argued, I plan to identify and discuss some of the most commonly accepted goals of civic education and then consider whether these goals can be met in religious separate schools. It is not my aim, necessarily, to defend or refute any particular view of citizenship education, but to examine those views in order to explore the possibility of offering a satisfactory version of civic education in religious schools.

From the perspective of the state, one of the primary goals of public education is the preparation of citizens who will support and sustain the liberal democracy. To meet this goal it is necessary to create a sense of identification with the nation, prepare citizens to participate in the democratic process, and to communicate shared liberal values. These goals are not as uncontroversial as they may seem at first glance, for the very process of promoting particular values seems to contradict the liberal position of allowing individuals to choose for themselves what they will accept as good. Brighouse, for example, challenges civic education on the grounds that to deliberately inculcate certain values undermines autonomous choice and, consequently, liberal legitimacy (Brighouse, 1998). Still, some form of citizenship education is necessary in any state, and, controversial or not, the important characteristics and goals of civic education must be identified. Education for citizenship must ensure support for democracy so that all citizens can benefit from the continuation of liberalism. If we can first identify the components of a liberal civic education that will accomplish this goal, we can then determine whether such an education can be provided in religious separate schools. Once this has been answered we will better be able to determine whether the state has any cause to support separate schooling.

Civic education can be either strong or weak in its aims and content. Weak forms of civic education are offered as a solution to the enormous challenge of citizenship education in pluralistic democracies. For example, to encourage support for the goals of liberalism and the political and legal institutions of the state and to encourage democratic participation, civic education should engender some attachment to the polity. In pluralistic nations, however, it is often difficult to create a national identity based on shared history. Immigrant peoples may have stories of atrocious treatment at the hands of other citizens, many people may feel a primary attachment to a community other than the nation as a whole, and some aspects of a nation's history may hardly have patriotic appeal. As a result, educators may be tempted to achieve their purposes by selectively presenting a version of history focused on unifying or inspiring stories and disregarding the darker aspects of the nation's past. As Kymlicka argues, "One way – a particularly effective way – to promote identification with a group's history is to deliberately misrepresent that history" (Kymlicka 1995, 16).

In some respects this is the form of civic education recommended by William Galston. Callan has labeled Galston's model as "sentimental civic education" because it attempts to "inspire awe and admiration" rather than encouraging moral criticism (Callan 1997, 101). Galston proposes that civic education should differ from philosophic education which focuses on the "dispositions to seek truth" or the "capacity to conduct rational inquiry" (Galston 1989, 91). The purpose of civic education, according to Galston, is to create citizens who will support and sustain their political community. It is unlikely, he argues, "that truth seeking activities will be fully consistent with this purpose" (Galston 1991, 243). Individuals will not come to embrace the liberal state through rational inquiry; what is required is a "pedagogy that is far more rhetorical than rational" (244). The civic education that Galston envisions would present historical figures as heroes who lend legitimacy to current political institutions and whose example it is worth following. While the state "has an interest in developing citizens with at least minimal conditions of reasonable public judgment" necessary to evaluate and choose wise public leaders, this does not require civic education with a focus on deliberation (253). Civic education of this nature is unlikely to address the difficult issues in the nation's past.

Another version of weak civic education is what Callan refers to as "minimalist" education, that is, education that instructs children only in those aims or virtues to which the majority of citizens subscribe. Such an education may teach respect for the law and endorse aims leading to economic prosperity. "For adherents of the minimalist conception, the proper content of common education in a free society is given by whatever substantive educational ends can be supported by a more or less inclusive consensus in that society" (Callan 1997, 169). Again we can find a description of something very like minimalist civic education in William Galston's work. Galston argues that civic education must appeal to what it is we have in common, that is, "our shared institutions and the principles that underlie them" (Galston 1991, 245). "It is perfectly possible," according to Galston, "to identify a core of civic commitments and competences, the broad acceptance of which undergirds a well-ordered liberal polity" (256). These would include, in Galston's view, a commitment to human dignity and freedom, equal rights, social and economic justice, rule of law, civility and truth, tolerance of diversity, mutual assistance, personal and civic responsibility, and self-restraint (Galston 1989, 93). Civic education, Galston argues, must teach those beliefs and habits necessary to support liberal democracy and encourage participation in public affairs. However, education for citizenship need not cause individuals to question their own deeply held beliefs, for civic requirements do not "entail a need for public authority to take an interest in how children think about different ways of life" (Galston 1995, 253). As Callan describes it, "the whole point of the minimalist conception is to evade whatever disagreements divide us" (Callan 1997, 171). The result would most certainly be a very weak form of civic education.

It is a temptation for supporters of separate schooling to use an argument for one of these weak forms of civic education in defending separate schools, claiming, as does Galston, that civic education does not demand more than a minimal commitment to liberal values. If there were agreement that a minimal form of civic education is all that is necessary to engender citizen support for liberalism and democratic participation, then concerns about the ability of separate schools to meet the goals of common education would be satisfied. Callan argues that the proponents of separate schools generally claim that they meet the requirements of civic education and that it would be easy enough to implement a minimalist common education in such schools. Advocates of separate schooling have argued, for example, that religious schools encourage democratic participation. Rosemary Salomone claims that private religious schools are known to develop a sense of civic duty in students. According to Salomone, families that send their children to these schools are often "more involved in a wide range of civic activities than are families of public school students" (Salomone 2000, 255). The goals of private schools, she argues, may well "promote the ends of democratic citizenship in a more conscious and pervasive way than most public schools can admit" (255).

This claim is reiterated by Michael McConnell who argues that religious schools may be "more effective than government run schools in inculcating the virtues and values essential for democratic citizenship" (McConnell 2002, 127). McConnell claims that religious Americans are more democratically engaged than other citizens and obviously views such engagement as an indication of support for democratic virtue. Religious schools, he argues, successfully instill habits of civic participation. Civic participation, however, may not be an indication of support for liberal values. It is easy to imagine intolerant voters casting ballots in support of equally intolerant election candidates. Something more than demonstrating civic participation or delivery of a minimalist civic education may be required of a truly satisfactory liberal civic education. Callan argues that minimalist civic education is decidedly inadequate in teaching moral virtues in a liberal democracy and that an education that teaches only what everyone agrees is desirable would end up being uninspiring and unacceptable to all. Separate schools, he purports, must show that they can provide a more acceptable form of civic education than the minimalist version.

What would a more robust form of civic education look like? Various philosophers of education identify the key characteristics of liberal education as the 1) development of tolerance for diversity, 2) a focus on the capacity for critical reasoning and democratic deliberation, and 3) a commitment to the development of autonomous citizens (Callan 1997, Gutmann 1999, Macedo 2000). Civic education that promotes these goals is a much more controversial project than more minimalist versions, for the most part because the inculcation of liberal values erodes diversity and undermines communities and individuals who do not give primacy to autonomy or critical reasoning. Those who are concerned about protection of the diversity in our society are most likely to challenge this more rigorous version of civic education. Galston, for example, argues that while we need a system of civic education that will enforce the basic requirements of shared citizenship, particular ways of life must not be undermined. He claims that, "properly understood, liberalism is about the protection of diversity" and that citizens have the right to live in liberal or illiberal subcommunities as long as individual exit rights are protected

(Galston, 1995, 523). Galston characterizes the liberal state as a community with shared values, but argues that beyond the basic requirements of the protection of human life, the development of basic capacities, and the development of social rationality, the state must allow for the "fullest scope of diversity" (525).

Galston purports that liberal states are not free to impose their values on members of society that reject those values. In the liberal democracy, he argues, the existence of a private sphere limits the power the majority may exert on the minority. Many religious persons would claim that there are spheres of life that are not subject to political reason and Galston argues that such individuals should not be subject to state coercion with regard to their beliefs. "The imposition of the majority view, however well-grounded, would threaten religious pluralism" (533). To be fair, Galston does qualify his wholehearted commitment to diversity. The liberal state, says Galston, is "properly characterized as a community organized in pursuit of a distinctive ensemble of purposes" (Galston 1995, 524). When groups violate public principles such as racial or gender equality, the state may put pressure on the group to conform, although it must stop short of banning such groups. The rights to private conscience can only be defended as long as they do not interfere with civil order, and would not lead to the right to resist the civic education necessary to sustain the liberal democracy. Galston claims that a certain commitment to liberalism is required of all those who live in the state. "Every political community is a sharing in some conception of justice and the human good, and this sharing will inevitably limit and shape the human possibilities it contains" (527).

In spite of these qualifications, Galston's commitment to diversity necessarily limits the scope of civic education he would support and explains his commitment to the weak forms of education described above. Philosophers who argue for a more demanding form of civic education, argue that the implementation of a robust liberal civic education is more important than a commitment to protect all forms of diversity. Callan points out that as citizens in the liberal democracy are allowed to choose for themselves how to live and the government does not take a position on which choices are more virtuous, liberalism is often depicted as void of any distinctive ideals and thus not dependent on the inculcation of any particular set of values. However, it is an "error to confound the characteristic openness to pluralism of liberal virtue with the supposed irrelevance of virtue to liberal politics" (Callan 1997, 6). Callan argues that civic education should generate a respect for reasonable differences, nurture a spirit of moderation and compromise, and develop an awareness of the rights of self and of the responsibilities that the rights of others impose on self.

In Callan's view, liberalism committed to particular values cannot protect all forms of diversity. "Political education at its best will be far less banal, and much more corrosive of some powerful and long-entrenched sources of diversity, than many would like" (Callan 1997, 13). Reasonable rather than unqualified pluralism is the appropriate moral basis for liberalism that seeks to avoid endorsing oppressive ways of life. Reasonable pluralism establishes "the range of values and perspectives that can properly enter into political deliberation in a just society" (21). We need to distinguish between virtue and vice within the sphere of conduct we tolerate and not “conceive the ends of political education too unambiguously” (24). Callan argues that we must learn to think carefully about the difference between reasonable and unreasonable pluralism and acknowledge that there are some forms of pluralism with which we cannot agree.

Macedo also describes citizenship education as a controversial and paradoxical project, one that promotes liberal virtues and erodes unreasonable forms of diversity (Macedo 2000). Like Callan, he argues that civic education will have broad implications for our deepest moral and religious commitments. The liberal democratic society, as described by Macedo, allows individual freedom but encourages people to “choose in ways that are supportive of our shared liberal project” (Macedo 2000, *x*). Peaceful, tolerant societies, he argues, are a political achievement, the result of a deliberative educative project. In what Macedo calls the “hidden agenda” of liberal democracy, “religious beliefs may be reconfigured and … beliefs in tension with fundamental liberal democratic commitments will gradually diminish in importance” (137). It is the goal of liberalism to “transform people’s deepest commitments in ways that are supportive of liberalism” (205).

Macedo claims that assimilation is the inevitable and legitimate aim of liberal policy. A great deal of “moral convergence” is necessary to sustain the liberal democratic state and not every form of religious or cultural diversity is to be welcomed or every occasion of exclusion or marginalization apologized for (Macedo 2000, 2). It is possible for diversity and multiculturalism to undermine liberal democracy; thus, liberalism cannot embrace diversity without criticism. Macedo argues that there are groups and ways of life that are intolerant or “thrive on ignorance" and should not be tolerated or protected (26). A society where people live in peace and harmony occurs because citizens have been assimilated into a common way of life and not because of the celebration of any differences that continue to exist. Indiscriminate inclusion, the embrace of all differences and a laissez-faire attitude to the civic project of liberal government is a mistake. "A liberal democratic polity does not rest on diversity but on shared political commitments weighty enough to override competing values … assimilation is not to be despised; it is rather to be embraced" (134). Macedo proposes to put diversity in its place by emphasizing the importance and legitimacy of a liberal educative project that "shapes diversity for civic purposes" (3). Our commitment, he argues, is not to difference, diversity, or multiculturalism, but to civic aims or shared liberal purposes.

A strong version of civic education, in this view, does not back away from challenging some ways of life. It is Macedo's and Callan's belief that a commitment to liberal values is more important than a concern about particular communities that may be threatened by liberalism. It is parents from communities so threatened who are most likely to withdraw their children from common schools in order to nurture their particular way of life in religious separate schools. Given that strong forms of civic education may undermine the very existence of these communities, can separate schools really claim to offer more than a minimalist civic education? Is it possible for separate schools to educate children from a particular perspective and still be committed to liberal values such as tolerance and autonomy? In the following pages I would like to explore that possibility, by addressing, in turn, each of the three characteristics of liberal civic education identified earlier in this section.

Tolerance for Diversity

Liberals strongly uphold the value of individual freedom and the right 0f all citizens to choose their own conception of the good life. Thus pluralistic liberal democracies emphasize the importance of tolerance for the diversity found in our midst. The promotion of tolerance is the aim the government of Ontario claimed as the foundation of its public education system, one that they argued would be undermined if they were to extend state support to religious separate schools. Common schools, it was argued, are the means by which children are prepared for respectful engagement with others from different ways of life.

Whether we welcome diversity with or without reservations, the very fact of pluralism requires that we learn to live together in respectful ways. Even though they argue that liberalism cannot support all forms of diversity, Callan (1997), Gutmann (1995), and Macedo (2000) promote civic education that engenders respect for the diverse ways of life found in pluralistic societies. Schooling, argues Callan, must be designed to develop an understanding of the complexities of society and an appreciation of the many perspectives present in a pluralistic democracy. Citizens must recognize the wide range of political disagreement in society and be prepared to enter into engagement with rival views without peremptory dismissal. Gutmann argues that it is the role of civic education to develop mutual regard for others that acknowledges them as equals. Curricula should be created "that recognize the multicultural heritage of the United States as everyone's resource, belonging not just to us, but to future immigrants and generations to come" (Gutmann 1996, 160). The goal of civic education is to teach mutual respect, not by group identification, but by "linking common civic values with uncommon cultural appreciation" (162).

It is generally thought that the common school provides an ideal context for an education that will engender respect for diverse ways of life. Because of the natural diversity present among students and teachers, common schools foster a pluralistic outlook and promote respect and understanding (Peshkin 1986, McLaughlin 1995). Callan argues that the required context can hardly be recreated in a separate school, whose members all agree. They are forced to engage dissenting positions through the use of imagination, with results that could hardly be as intellectually demanding as genuine dialogue. The sense of fellowship and common fate demanded by liberal citizenship cannot be nurtured in an environment "which has been more or less cleansed of encounters with fellow citizens – or fellow future citizens – whose lives are lived beyond the cleavages that mark the boundaries of one's own parochial loyalties" (Callan 1997, 178). Gutmann describes separate schooling as a form of segregation that creates in children a sense of superiority based on race, religion, gender, or class. While this may develop self-esteem in students, she argues that it does so at the cost of the mutual regard all citizens are entitled to. No democratic government should support schools that "convey the very disrespect the democratic education should seek to dispel" (Gutmann 1996, 158).

Gutmann and Callan argue that because of their segregated nature, separate schools do not encourage tolerance and respect for those from other ways of life. Obviously, separate schools are segregated in some respects. Separate schools are founded, as Gutmann points out, on some particular characteristic, whether it is gender, pedagogy, race, or religion, and thus they attract a particular clientele. The image of separate schools as intolerant is reinforced by accounts of schools such as the fundamentalist Christian school described by Alan Peshkin. Peshkin writes:

> while Fundamentalists "value the pluralism that underpins their existence … espousing pluralism is not functional to the cause of their monolithic Truth. … I never heard a discussion, let alone an elaboration, of the concept of pluralism and its implications for their own survival as a group … as true believers it is contradictory for them to advance a concept of pluralism. They want to thrive, but they do not want a multitude of competing doctrines to thrive (Peshkin 1986, 293).

Relying partially on Peshkin's study for insight, Dwyer claims that fundamentalist schools effectively promote intolerance of other religions and other ways of life. Dwyer argues that simply "restricting students' awareness to a single point of view and presenting it as absolutely and universally true can undermine respect for the civil liberties of persons who do not share that view" (Dwyer 1998, 33). Fundamentalist religious schools, in this view, promote intolerance and lack of respect for diverse ways of life.

The picture these views present is one in which common schools are seen to promote tolerance, if only because of the diversity of lives they contain, while separate schools, particularly religious separate schools, undermine respect for diversity. Can this view be successfully challenged? For one, do common schools invariably promote tolerance? That diversity does not in itself create tolerance seems fairly obvious when one can open the newspaper and almost daily read of violence between ethnic groups who have lived side by side for generations. This point is discussed by Short, who challenges both the assumption that faith-based schools promote intolerance and the belief that the diversity present in common schools will lead to tolerance (Short 2002). Short says there is no evidence to support claims that faith-based schools "propagate intolerance" (561). He suggests, however, that evidence shows that contact between ethnic, racial or religious groups does not necessarily lead to tolerance. Incidents of racism are as likely to be instigated by students who attend integrated schools as by those who attend schools that are more segregated (568). Integrated or common schools cannot guarantee successful contact between those from different religious or ethnic groups, but Short suggests that, even if they could, "the benefits, seemingly, are of limited value, for changes in attitude tend not to generalize outside of the original contact situation" (570). He argues, furthermore, that, "in any case, the relevant consideration is not contact, even under ideal conditions, but anti-racist education which can, in principle, be undertaken as effectively in a faith school as in a non-denominational one" (570).

Thus, the fact common schools are diverse does not in itself guarantee the development of tolerance. More likely such schools erode difference and promote a common culture. Recently, Callan has expressed a degree of skepticism with regard to the claim that common schools promote tolerance of different cultures (Callan 2002). Callan observes that today's pluralistic common schools do not create an awareness of the value of different ways of life, but in fact promote a kind of consumerism, both of material goods and of the trappings of various cultures. While students may wear items of ethnic dress, for example, their ethnicity does not have any real impact on their lives. Similarly, many children from religious homes, he says, are religious only at their parents' insistence and therefore cannot communicate with others the deep values of their faith. While common schools are pluralistic in appearance, students do not engage in any real conversation about their differences. Instead they are determined to find a way of belonging to a culture that Callan finds bent on consumerism.

Callan suggests that while common schools in any democratic state purport to welcome all members of the plurality, they may in fact exert a great deal of pressure on children who belong to minority communities. The values of the dominant culture that prevail in common schools may cause children from minorities to feel there is something peculiar or even shameful about their particular way of life (Callan 2000, 62). This is not the common school that will lead to a deep appreciation of and respect for difference. And what about common schools whose populations are not in fact diverse? School populations, with some exceptions, reflect the population of the neighborhood in which they are located. This means, for example, that schools located in wealthy suburbs would not be diverse as far as socioeconomic groupings are concerned just as schools in some rural areas are unlikely to be racially diverse. It has been alleged that separate schools cannot promote tolerance or engender respect for diversity because their populations are unlikely to be diverse. If this allegation is warranted, could the same claim not be made with respect to common schools whose populations are equally homogenous?

Separate schools, however, are rarely segregated in all respects. Salomone, who supports a model of civic education not much different from that proposed by Callan or Gutmann, claims that research evidence shows private schools to be racially integrated and diverse (Salomone 2000, 253). According to Salomone, research also shows that private school students demonstrate greater racial tolerance than students in public schools. Michael McConnell says much the same thing, claiming that religious groups, and thus religious schools, are not segregated by income, race or ethnicity, and are frequently at the "forefront of the race against racism and bigotry" (McConnell 2002, 127). He claims that separate religious schools are likely to be more diverse than most common schools and more likely to teach racial tolerance (131). Drawing on personal experience, as Dwyer does on occasion in his account of Catholic schooling (Dwyer 1998), I would agree with McConnell's characterization of religious schools. While drawn together by their desire for a religious education for children, the parents in at least some separate schools represent a range of socioeconomic groups, a wide variety of ethnic and cultural groups, and a myriad of different theological perspectives. As evidenced by Peshkin's study, there obviously are religious schools that present a single perspective on everything from religion to politics, but there are also religious schools whose populations hold a variety of different views and engage each other in lively debates on religious or social and political issues.

Of course, in all schools, the intensity of engagement is dependent on the commitment of the teachers and the maturity level of the students and the degree to which students are conversant with the aims of the religious or cultural group of which they are a part. Younger children in particular, but even students in their teenage years, may be ill-equipped to defend their faith or explain its particulars to someone else. It is likely that what children will see about each other, in school populations that are diversified, is that they eat different foods or dress differently. While this may develop a level of tolerance for people from other ways of life it could hardly be considered serious engagement with different views. Callan argues that separate schools are unlikely to engage children in intellectually demanding dialogue because of the lack of diversity found in such schools. However, if children in any school, because of their youth, are likely to notice only the external cultural differences, I do not see how this dialogue would be much more demanding. It would be easy enough to teach children about different cultures, their traditions and practices, without necessarily having members of those cultures present in the room. In Canada at least, the Social Studies curriculum is based on the belief that we can teach children to understand and respect culture through classroom study. If that is the case, diversity in the classroom is not necessarily a requirement for the development of tolerance. Imaginative engagement may well suffice. Do not all philosophers engage in imaginary debates and is this not effective? As Callan argues in a paper on religious upbringing, if one wishes "*seriously* to reject, much less accept, the life of faith one needs to examine it from a perspective other than the disengaged outsider's. One needs to enter, at least imaginatively, into the world where some beliefs are sustained more by heroic … hope than by anything that could properly be described as evidence and argument" (Callan 1988, 192). If imaginative engagement is sufficient to allow one to become more than a disengaged outsider when the rejection or acceptance of religious faith is at stake, then surely such engagement can also be used in schools to introduce children to at least some of the many ways of life that exist in our pluralistic society. If so, it would take, not diversity in the classroom, but simply a willingness on the part of the teacher and students to develop respect for members of other cultures.

I would not deny the evidence that shows that some religious separate schools have, at least in the past, shown a lack of tolerance for points of view other than their own (Peshkin 1986). (I would imagine that intolerance is not restricted to such schools alone, although of course that is not any sort of excuse.) My point is that religious schooling need not be a barrier to tolerance and respect for diversity. I say this not only because many religious schools populations are diverse in many ways, but also because it is possible for tolerance to be encouraged even in classrooms where diversity does not exist. As is argued by McConnell and Salomone, and as my personal experience bears out, there are at least some religious separate schools where tolerance and respect for others are an integral part of what is taught in school.

Democratic Deliberation and Critical Reasoning

Appreciation for diversity, however, is only one aim of democratic education. It is Amy Gutmann's claim that the first goal of civic education in a democracy is to develop in children the skills necessary to engage in democratic deliberation (Gutmann 1996). Democratic deliberation requires both tolerance and critical reasoning skills. Mutual respect for others acknowledges them as equals and enables citizens to engage in discussions that lead to an understanding of the other's perspective and a means to resolve differences. Citizens dedicated to deliberation, says Gutmann, will seek to develop public policies that are mutually agreeable to all. Gutmann claims that common schools are the primary means by which a democratic society educates its citizens and prepares them for future roles in responsible self-government. Such an education must be mandated and publicly supported so that "a willingness and ability to deliberate about politically relevant disagreements" can be learned by all children (160).

Gutmann recognizes that the civic education she describes is not without its challenges both for those who are charged with its implementation and for the students it engages. She describes the case of Muslim girls in a French school who were asked to remove their chadors if they wished to attend the local high school. Gutmann argues that two principles come into conflict in this case: religious toleration and, because the chadors were viewed as symbols of oppression, gender equality. Because both principles should be universally accepted the question of which should prevail in this particular case was not immediately apparent to officials charged with responding to the case. Gutmann suggests that in cases where rights collide in this fashion an attempt must be made to meet the goals of civic education while respecting individual differences. In this instance, Gutmann says, the Muslim girls should have been allowed to wear the chadors to school "in order to express a democratic commitment to educate all children, regardless of their gender or the religious convictions of their parents" (Gutmann 1996, 167). The taunting the girls may receive from other children is an example of the uncivil behavior that schools must seek to eradicate, but Gutmann argues that open discussion between the Muslim girls and the other students is precisely what should be encouraged in democratic education, even when it is uncomfortable. The schools Gutmann proposes would seek to understand the value that different ways of life have for those who live them, but would not protect them from "civil criticism" or erosion (168). Gutmann argues that "citizens should protect an educational system only if it is not neutral between those ways of life that respect basic liberty, opportunity, and deliberation, and those that do not" (168).

Callan agrees that children must learn the virtues and abilities necessary to participate in reciprocity-governed dialogue and to abide by the deliverances of such dialogue in their conduct as citizens. For citizens to understand the legitimacy of the political order they must be willing to accept the "burdens of judgment and their political consequences" (Callan 1997, 32). Citizens must engage each other in deliberation, confront ways of life that are intolerable, and establish a society based on just principles, not mere popular opinion. Callan argues citizens should not be asked to abandon deeply held convictions when engaging in public reasoning, as it is these convictions that lead to the burdens of judgment. If we ask people to forgo their personal convictions in the public sphere, they will be morally alienated from the polity. However, if we erode the distinction between the private and political person in this way, political education will inevitably mold the citizen beyond the private sphere. Callan acknowledges that education that accepts the burdens of judgment as a necessary end will cause children to question the conception of the good taught them by their family and cause them to ratify or reject that good on the basis of their own reflection. Though such an education will threaten the background culture of liberal politics, Callan argues that it still leaves room for personal moral or religious conviction, even if religious believers may sometimes have to acknowledge the "political irrelevance" of their convictions (37).

Stephen Macedo also regards deliberation as an important part of civic education. However, where Callan and Gutmann seem to invite citizens to enter into civic engagement without immediately abandoning their personal beliefs, Macedo contends that individually held claims to truth have no place in public deliberation. Macedo argues that religious or philosophical beliefs are private matters, not to be brought into the sphere of political debate or used for justification in civic matters. Instead, the authority to be relied on is "the authority of reasons that we can share in public as fellow citizens" (Macedo 2000, 172). The political liberal is not making any claim about the error or truth of religion, only that religion cannot claim political authority. Since liberals view deep but reasonable disagreement about the good life as a permanent condition of our society, they are looking for political justification that does not depend on resolution of those deep differences. Macedo claims that while citizens disagree radically when it comes to defining the highest good, they nevertheless enjoy widespread consensus on the issues that constitute the core of political morality. It is this agreement, says Macedo, and the fact that we are prepared to honor deliberative principles when we disagree, that makes liberal democracy possible.

Macedo claims that conflicts surrounding public schooling in the United States have inevitably been the result of religious teaching. In order to avoid such conflicts, he argues that both instruction and deliberation in schools must respect individual beliefs while leaving all religious questions aside. Therefore, schools should not teach Protestantism, secular humanism, or atheism, nor should they deny that "faith and revelation may be the keys to understanding the ultimate significance of human life" (Macedo 2000, 176). While schools should keep religious sensitivities in mind, they should regard all religious questions as beyond the bounds of their authority, not endorsing or disparaging any religious view. Macedo claims that "leaving the religious question aside is the best that our educational establishment can do with respect to religion" (122). Children must be taught that important public issues can be deliberated without considering the religious question.

Macedo, Callan, and Gutmann, agree that, in one form or another, democratic deliberation must form a key aspect of civic education. William Galston, on the other hand, argues that it is a mistake to focus on democratic deliberation as one of the most important goals of education. This is largely because, as has been acknowledged, education that encourages deliberation necessarily causes people to question their own ways of life and may have the effect of eroding diversity. Unlike Gutmann, Callan, or Macedo, who do not advocate the protection of diversity as the primary focus of liberalism, Galston argues that liberalism must do what it can to ensure the protection of different ways of life. In his view, people are perfectly capable of tolerating difference and participating in democracy without questioning their own deeply held beliefs and it is therefore unnecessary to structure civic education in such a way as to cause children to become skeptical of their parents' way of life. Galston argues that parents should be encouraged to pass their particular convictions on to their children, for in modern liberal societies the greatest threat to children is "not that they will believe in something too deeply, but that they will believe in nothing very deeply at all" (Galston 1989,101). Since a strong commitment or belief against which competing claims can be measured makes rational deliberation more meaningful, parents' efforts in fostering such convictions should be encouraged.

Galston argues, furthermore, that civic education must be designed for the particular features of the society it is to sustain. In a democracy that is more representative than direct, it is more important to emphasize the competencies and virtues necessary to select representatives wisely than to develop the traits needed for direct deliberation. Liberal governments need to establish stable institutions that are protected from shifting public opinion; thus civic education should incorporate an understanding of the processes necessary to maintain the liberal democratic constitutional order (Galston 1989, 94). Liberal democratic civic education must therefore aim to achieve the goals of liberalism, that is, "the greatest possible conjunction between good judgment and virtue, on the one hand, and participation and consent on the other" (95).

It is true that the liberal democracy, as we know it, is more representative than direct. However, Callan claims that this is no argument against teaching the critical skills of reasoning and making informed choices. "If (liberal democracy) is to thrive from one generation to the next, even in forms that stress representation over participation, civic virtues informed by critical reason must be widely and deeply diffused among the citizenry" (Callan 1997, 112). Critical reasoning will ensure that we do not portray the world in simplistic or overly sentimental ways, but that we "explore it seriously and imaginatively" (107). Future citizens need to be taught to use critical reasoning in ways that are "both civically engaged and uplifting while remaining genuinely critical" (115).

Even so, some individuals may experience misgivings with regard to claims that democratic deliberation must be the focus of civic education. Consider the example Gutmann describes of Muslim girls wanting to wear chadors to a French school. Gutmann expects the girls in question to engage in open discussion with other students regarding their religious beliefs, recognizing both that those students will be inclined to taunt the girls and that any such discussion will be "uncomfortable." It is hard to imagine how students who are still at a stage in their development when they have to be taught not to treat those who are visibly different in an uncivil manner will nonetheless be able to engage them in respectful and serious discussion of those differences. Were such a discussion to take place, one can imagine that it would be very difficult for the girls in question. Depending on their age and maturity, they may, as Gutmann recognizes, be merely following the "religious convictions of their parents" and may not yet have any deep understanding of their own regarding those beliefs (Gutmann 1996, 167). If so, any arguments they may be brave enough to put forward may be easily defeated by the majority simply because the girls were not prepared for such deliberation. If they are new immigrants they may have had little experience with defending their faith, and in any case, questioning the use of the chador may be contrary to what is acceptable within their tradition. Though democratic deliberation is to promote tolerance and respect for diversity, it is difficult to see how putting these students in a position of conflict with the traditions of their faith is respectful of difference.

Gutmann argues that students who engage in democratic deliberation will be able to resolve differences. It seems that the only way differences in this case could be resolved is by having the Muslim girls give up their chadors and, at the same time, the oppressive way of life they represent. Gutmann introduced her example by stating that the chadors were symbols of gender inequality and that it was scarcely possible in this case to determine whether they should be allowed in the first place. We can assume that the outcome of deliberation in this case (and perhaps all others) is a forgone conclusion, its intent to have the Muslim girls in question realize that their way of life is undesirable. It is not, then, really an attempt to seriously engage the Muslim perspective, nor is it deeply respectful of their beliefs. Democratic deliberation of this nature is less an attempt to respect difference than it is to erode a way of life that is seen as illiberal by those who have the responsibility for ensuring that deliberation takes place.

Gutmann's determination to have young Muslim girls consider the merits of their particular way of life in the public arena could have a number of consequences. The girls in question are likely to experience more than just "discomfort" – the experience could cause them a great deal of anguish and may in fact be quite traumatic. Should they begin to question their beliefs in light of the criticism they are likely to face, they will be left, at least for a time, in the position of belonging neither to the dominant society nor quite to the family whose values they question. I am not sure that childhood, when the student is still dependent on the family for nurturing, is the proper time to deliberately cultivate such dissonance. Children need to feel a sense of belonging to their family and community in order to develop a sense of their own worth and identity (Burtt 1994, Salomone 2000). Questioning parental values may well cause children to question as well their place in the family and community that promotes those values. If democratic deliberation in this way undermines the relationship between parent and child it is unlikely to be good for the child's well-being (Arneil 2002).

For this reason, Macedo's proposal may on the surface seem more appealing, for in the democratic arena that he imagines students may leave their religious views aside and focus on what they hold in common with others. (Of course, if we accept what Callan says in regards to minimalist civic education, what they have in common may not be very much at all.) Macedo's approach, however, presents its own difficulties. Callan argues that engagement in moral deliberation should not require citizens to forgo deeply held convictions as that would alienate their political life from their private beings (Callan 1997). In fact, it may be impossible for individuals with deeply held beliefs to suspend those beliefs for the sake of public engagement. McConnell believes that religious individuals would not see the legitimacy of debate or of political decisions if they cannot, because of the impossibility of setting aside their views, participate in public deliberation (McConnell 2002). To expect individuals to set religious beliefs aside at all, reveals a certain lack of understanding of how much those beliefs are part of some individuals' identities. In fact, the religious individual is required to have two identities, one for public life and one for private. This bifurcation is at least slightly reminiscent of the identity crisis experienced by Frantz Fanon's black man on discovering that he is in one world "human" and in the other "black" (Fanon 1967).

Another concern with Macedo's version of democratic deliberation is that it communicates to children that religion is unimportant in scholarship or politics and so may undermine beliefs that are very important to their families. Historically, public schools included some recognition of religion, even if it was only in the opening of the school day with prayer. While there is good reason to remove sectarian religious exercises from common schools in a religiously pluralistic society, the absence of religion in schools nonetheless conveys a message regarding the significance of religion for daily life. Salomone suggests Macedo's insistence that we teach children that important matters can be deliberated without considering the religious question is inherently indoctrinative: "Whatever is done or said in the classroom conveys an inescapable and powerful non-neutral message to children that convention and authority are behind a specific value or practice" (Salomone 2000, 204). This holds true, she claims, both for what is chosen to be included and what is excluded. By disqualifying religious judgments, she argues, liberalism in effect privileges a particular conception of rationality. "Denial by silence or omission effectively is a form of oppression" (230).

Salomone also denies assertions that mere exposure to ideas does not require students to affirm or deny their beliefs. This position "overlooks the indoctrinative power that values reflected throughout the school experience may have over the formation and transformation of beliefs, values, and identities, above all in young students" (206). While there may not be conscious intention to influence values, Salomone argues that constant exposure can have the effect of leading impressionable children to adopt beliefs that directly contradict family values. McConnell expresses similar concerns:

> Secular schools may well refrain from overt anti-religious teaching. But the worldview presented to the children will be one in which religion plays no significant role. Such a curriculum may not necessarily produce atheists, but it will tend to produce young adults who think of religion as something separate and distinct from the real world of knowledge, if they think about religion at all (McConnell 2002, 117).

The school, argues McConnell, speaks with "the authority of professionalism, of learning and of organized society" and when it specifies what constitutes "acceptable scholarly discourse" it also communicates that what is left out is unimportant and dispensable (117). Religious parents are thus caught in this bind: if religion is included as part of the deliberations that occur in the ongoing life of the school, it is likely that their child's beliefs will be eroded for that reason. If religion is not included, the silence itself speaks of the unimportance of those beliefs.

Religious parents who want to raise their children with an understanding of the value of religious thought may find it difficult to do so without the benefit of separate schooling. Brighouse suggests that deeply religious parents have every right to "subject" their children to Sunday school (Brighouse 2000, 91), but deeply religious parents may find that this is not sufficient to truly communicate to children the importance of their faith. If what children learn in school is that religion does not matter in the daily course of life or that it is somehow odd, a Sunday school lesson tacked on to the end of the week or a catechism class at the end of an already full day will hardly counteract that message. Those who take their faith seriously are unlikely to be satisfied with the argument that they can provide religious training apart from the formal school experience, for they would want their faith to inform the totality of the education their children receive.

Religious parents may for these reasons wish to enroll their children in religious separate schools. Suppose we put aside concerns about the particular versions of civic education offered by Gutmann and Macedo, and accept that critical reasoning and democratic deliberation are important aspects of education in liberal democracies. Those who favor such an education are also likely to believe it is best conducted in the common school. Gutmann, for example, suggests that the skills of democratic deliberation necessary to prepare children for civic education would be most effectively taught in common schools (Gutmann 1996, 159, 165). It is presumed that religious schools, on the other hand, are unlikely to teach the skills of deliberation because religious parents are thought to be opposed to the development such skills. Critics of school choice fear that, given a choice, religious parents will provide an education for their children that will prohibit the development of critical reasoning capacities. Randall Curren, for example, claims that religious parents "do not want their children to think things through for themselves" and want to shield them from opposing views (Curren 2000, 216, 217). Similarly, Brighouse labels religiously sectarian education as repressive and likely to "limit the development of critical faculties" (Brighouse 2000, 71). It is fears such as this, combined with concerns about the segregated nature of sectarian schools, that cause proponents of a civic education focused on the development of skills of reasoning and deliberation to favor compulsory common schooling.

Religious parents, however, may not fear rationality itself but may be concerned that the kind of deliberation that is encouraged in common schools will undermine their belief systems, whether because their children will be asked to defend ideas they do not yet fully understand themselves or because religious ways of thinking are so glaringly absent from the range of public school curricula. Religious parents who want their children to be able to think in religious ways would obviously be skeptical that this goal could be achieved in common schools. Callan suggests that the obvious worry for parents is that religious identity will be lost before it is even found, "because without yet understanding the life of faith, children will come to feel it is odd or shameful in a world whose predominant values declare it to be so" (Callan 2000, 62). It is quite possible that at least some religious parents value critical thinking skills, but want to teach these in a learning environment that is more respectful of and informed by their particular religious perspective. The result may not be a secular version of critical reflection, but one should not assume that this makes it no version of critical thinking. As McLaughlin points out, "It is clear that every cultural group and tradition will value and embody certain forms of reason and individual thought" (McLaughlin 1992, 127).

That more than one conception of critical thinking exists is demonstrated, for example, in an engaging paper by Jane Roland Martin in which she describes very different approaches to critical thinking from masculine and feminine perspectives and from the perspectives of participatory and distant thinkers. (Martin 1992). She could perhaps as aptly have added two more distinct categories of thinkers, the secular and the religious, showing how they differ in their approach to problems that require reflection and thought. Menachem Loberbaum, writing from the perspective of the Jewish faith, says that "traditions provide a range of acceptable and authoritative argumentation and discourse, but also 'traditions when vital, embody continuities of conflict.' Within the Jewish tradition, the Talmud supplies both. It is a wide-ranging source of argumentation; indeed it is a rhetoric that celebrates argumentation" (Loberbaum 1995, 116). Loberbaum goes on to illustrate his claim with an analysis of a particular portion of the Talmud that includes a "discussion of mistakes and of the connection between knowledge and responsibility. The questions explored by the Talmudic discussion are: what constitutes a mistake? and what obligation is incurred when a subordinate realizes the authority is mistaken?" (117). Loberbaum essentially demonstrates that an education that teaches critical reflection need not disassociate the individual from his religious beliefs, but that skills of reasoning and reflection can be developed from within religious traditions.

Similarly, Shelley Burtt argues that religious schooling does not preclude critical reasoning or democratic deliberation. According to Burtt, concerns that religious education will impair the child's ability to reason are unfounded. Consequently, she supports parental authority over the child's education and argues that the state must take into consideration "religiously grounded ways in which children might learn to choose well in civic and moral matters" (Burtt 1996, 413). Burtt contends that parents who wish to ground their children in a religious approach to politics are committed to democracy and the goals of civic education, teaching and encouraging their children to participate in democratic processes. What they want to do is to "provide and preserve, in the face of an aggressively materialistic culture, a sense of the transcendent in human life" (Burtt 1994, 63).

Referring to the *Yoder* case, Burtt (1994, 1996) cites as a problem the insistence by some critics that two more years of public schooling be given to Amish children in order to teach the critical thinking skills which would allow for full participation in a liberal democracy. She argues that either children will have learned these skills by the time they are fourteen or the skills are so demanding that a great deal more than two more years would be required to teach them. Furthermore, she claims there is no evidence that public high schools do indeed teach critical thinking skills and thus no reason to cause the Amish to suffer these two more years. The charge Burtt finds most disturbing in this case, is the claim that the Amish do not wish to teach their children to think or reflect on their own way of life or civic commitment, a claim the Amish themselves deny (Arneson and Shapiro 1996, 368).

Burtt argues that religious education does not prevent the development of critical thinking skills. She challenges the assumption that to reason from a religious perspective is "somehow to abandon the exercise of critical rationality," noting the "long and distinguished traditions of religious scholarship which reflect critically on the requirements of one's own … fundamental commitments" (Burtt 1996, 416). Burtt's comment brings to mind names such as Augustine or Aquinas, but no doubt most of us could also name at least one contemporary scholar who is able to conduct rational inquiry with his or her faith intact. A recent collection has gathered biographical sketches of a number of contemporary philosophers affiliated with Yale, Oxford, Loyola, Notre Dame and other respected institutions, who profess to a belief in God while conducting rigorous scholarship (Clark 1993). As Clark argues, "the Christian has as much right to start from Christian assumptions as the secular thinker has to start from the assumption of naturalism" (10).

Amish and other religious parents, according to Burtt, may not be opposed to critical thinking in general, but simply to critical thinking of the nature prescribed in secular schools. "To religious believers, one teaches about God so that they can reason correctly" (417). Should this process be disrupted too early, children would be deprived of the tools necessary to make sense of the world. Too often, Burtt argues, the educational goals of religious parents are belittled and dismissed in unsympathetic and even contemptuous ways. Burtt suggests that conflicts that arise between religious parents and public schools are often framed as debates over whether or not children will receive an education that encourages critical reflection and civic competency or one that will not. In fact, she says, the question is whether the children will receive an education for personal reflection and civic responsibility grounded in religious faith or based on secular reasoning.

Even so, liberal educators are concerned that religious education will be indoctrinative, making it impossible for children so raised to think for themselves. Considering the number of individuals who reject the faith in which they were raised this does not seem likely. However, most children will no doubt view the religion in which they were raised as a more credible option than other choices they may encounter and even the capacity for rational deliberation is not likely to entirely overcome this bias. In response to this concern, I would suggest, first of all, that it is impossible not to create a bias of some sort, no matter in what tradition the child is raised. A child raised by parents that practice no religion at all and educated in a secular common school is unlikely to view a religious way of life as a serious option, although of course the possibility is not entirely closed off for the serious 'seeker.' A religious upbringing is unlikely lead to a greater bias than a non-religious upbringing. It is impossible for parents to raise their children from a morally neutral perspective and it may not even be advisable to do so. Children are not, after all, born with the capacity for critical reflection and must for a time be given guidance with respect to what is demanded by virtuous and moral living. Critical reflection on a particular way of life may in fact be more meaningful if the child has first gained a deep understanding of that way of life and what is at stake in rejecting or accepting it as one's own. An understanding of a particular way of life gives one a starting point for reflection and comparison that is unavailable when all options are regarded from the beginning as neutral and equal.

The fact that the child is taught from a particular perspective does not preclude rational evaluation of this way of life at a later time. In responding to the charge that moral education in particular virtues may be indoctrinative, Curren claims that children who learn to think about moral virtues "will become morally serious and committed critical thinkers, motivated by conceptions of themselves as both moral and devoted to truth" (1998, 6). Curren goes on to argue that although children will necessarily form certain perceptions and sentiments as a result of such an education, this does not preclude future examination of those beliefs. If secular moral education is not indoctrinative but in fact encourages deliberation, why would the same not be true of religious education, which surely encourages consideration of some very significant aspects of human existence?

Critical thinking, I would argue, is fully compatible with a religious education. In the previous section I also attempted to show that religious schools can promote tolerance for other ways of life. Since tolerance and critical thinking skills are crucial skills for democratic deliberation, it would follow that religious separate schools can prepare students for the deliberation required of citizens of pluralistic democracies. One further requirement of liberal education is that it should enable children to choose for themselves how they will live. Many educators believe that religious education precludes choice for children, essentially robbing them of the possibility of an open future. In the next section I will consider whether religious separate schooling must necessarily impair the child's future autonomy.

Education for Autonomy

One of the most important characteristics of liberalism is the commitment to individual freedom and the right of individuals to determine for themselves how they should live. Liberals hold that to ensure that individuals will be able to exercise this right they must receive an education that will prepare them to make autonomous choices, to evaluate their options, and determine for themselves what they consider good. The assumption is that a life worth living must be held up to scrutiny, for only when it is accepted after careful examination can it be of true value for the individual. Thus, children must be aware of the choices that are available to them, be able to critically reflect on and evaluate those choices, and have the freedom to make choices without interference. Education for autonomy will ensure that children are able to exercise the right to choose their own good.

Callan argues that education for autonomy is necessary both for the personal autonomy of the child and as a condition of a truly just society (Callan 1997). Justice under conditions of pluralism requires autonomous reflection and deliberation; without such deliberation common principles would be accepted because of mutual advantage rather than for their moral nature. Justice without autonomy, according to Callan, is a happy accident dependent on the just character of the dominant majority. A society could, for example, have constitutional consensus against a background of disregard for minorities. True justice, he claims, requires reflection and consideration of alternatives and the will to make responsible decisions.

Of course, the ability to critically consider one's options is also an individual good. Callan argues that to endorse a particular way of life is worthless if we are ignorant of the alternatives. He recognizes that reflection on different ways of life may cause us to lose confidence in or question what we have been taught, but "to will responsibly is to choose with the knowledge that just because we have been taught to cherish something does not make it worthy of choice" (Callan 1997, 59). We need to make our own best judgments, something that is best done by reflecting on the conflicting views of others. According to Callan, this does not mean that children must reject the way of life in which their parents have raised them, but that to accept or reject it must be the result of autonomous reflection. As Callan sees it, "nothing can add intrinsic value to our lives unless we can appreciate it ourselves as intrinsically good" (Callan 2002, 5). Therefore, a life of faith that survives scrutiny will have much more meaning than one that has never been examined. Knowing that we have chosen a particular life only after critical reflection, allows us to live that life with integrity. Callan argues that given the connection between integrity, responsible choice and autonomy, a "life that spurns autonomy altogether and is yet good seems scarcely imaginable" (Callan 1997, 68). Thus Callan argues for an education for autonomy, both on the basis of individual good and for political justice. Such an education will ensure that individuals are able to make good choices for themselves and support just policies for the state, even when those choices may not reflect the popular will.

Callan is not alone in arguing that children must be given an education that ensures their future autonomy. Brighouse, for example, holds that "the fundamental value that should guide the design of educational policy is the ideal that all children should have a realistic opportunity to become autonomous adults" (Brighouse 2000, 65). Brighouse defends education for autonomy by arguing that justice requires that all individuals have a right to live a life that is good for them and that they can endorse from the inside. To deny children an education for autonomy would be deprive them of "skills that are of great value in working out how to live well" (70). For a number of reasons, however, Brighouse proposes that we implement what he terms autonomy facilitating rather than autonomy promoting education, arguing that we must give children the skills for making autonomous choices but not insist that they live an autonomous life. Brighouse's proposal is similar to that made by Arneson and Shapiro, who view autonomy instrumentally (Arneson and Shapiro 1996). Seen in this way, autonomy is an instrument that can help one discover reasonable values and good ways to live, giving one the means to evaluate and examine one's beliefs, perhaps removing false ones and affirming others (399). Thus autonomy is not a way of life in itself, but a means of choosing how one should live.

Brighouse has more than one reason for suggesting that autonomy-facilitating education replace autonomy promotion. The promotion of autonomy creates tension within liberalism because the promotion of a particular way of life precludes other choices. If we promote autonomy in children we in effect discourage them from choosing to live in cultural communities not built around autonomy. As Galston has argued, autonomy promotion erodes diversity by destroying those ways of life that do not value autonomy as a primary good. Galston claims that this is in itself illiberal, as the liberal state should be committed to the protection of diversity. Brighouse, on the other hand, is not so concerned with the protection of diversity as he is with liberal legitimacy on other grounds. According to Brighouse, "if the state helps form the political loyalties of future citizens by inculcating belief in it is own legitimacy, it will be unsurprising when citizens consent to the social institutions they inhabit, but it will be difficult to be confident that their consent is freely given, or would have been freely given" (Brighouse 1998, 719). He suggests that a similar problem arises with education specifically designed to promote autonomy. For an autonomous life to be truly autonomous it must be freely chosen. Thus education must "not try to *ensure* that students employ autonomy in their lives ... autonomy must be facilitated, not necessarily promoted" (734). Autonomy facilitation, according to Brighouse, will resolve the difficulty created when autonomy is promoted, for it will give students the skills to live autonomously while allowing them to choose whether or not they will exercise those skills.

Brighouse appears, moreover, to believe that autonomy facilitation will serve another important end. He assumes, as do other philosophers, that religious parents will object to autonomy promoting education (Macedo 2000, Callan 1997). Convinced that children have a right to become autonomous, Brighouse proposes to replace autonomy promotion with autonomy facilitating education, arguing that while parents may have reason to object to the first, they are not likely to reject the second (Brighouse 2000). Viewed in the context of this argument, autonomy facilitation seems like a compromise offered to ensure that children are at least given the opportunity for future autonomy, even if that autonomy is not assured for the present. This is, however, my assessment rather than Brighouse's. Brighouse seems satisfied that the requirements of civic education will be achieved with autonomy facilitation and does not necessarily view it as a compromise. In any case, I wonder if anyone who objects to autonomy promotion would not also object to autonomy facilitation, for it seems to me the two would be difficult to differentiate. Can a skill be taught without promoting its practice? Can you, for example, teach me how to read without actually having me read? Of course, I may later choose not to read, but the fact of the matter is that I have become a reader and cannot choose to go back to being illiterate. If autonomy facilitation and promotion are largely indistinguishable, then Brighouse seems to solve very little with the distinction between facilitation and promotion. Those who object to the one would also be likely to object to the other.

What exactly are the objections to autonomy promotion? Galston objects to autonomy promotion on the ground that autonomy is not a necessary end of civic education. A commitment to autonomy, he says, may undermine groups that are not organized in accordance with autonomy, and would thus have the effect of reducing diversity. "In the guise of protecting the capacity for diversity, the autonomy principle in fact represents a kind of uniformity that exerts pressure on ways of life that do not embrace autonomy" (Galston 1995, 523). According to Galston, the promotion of personal autonomy is not a shared liberal purpose – it is only one good among many. There is no reason, therefore, from a civic standpoint to argue that children should be taught to be skeptical of their parents' way of life. Nor does Galston appear to believe that the development of autonomy is necessary for the good of the individual. Galston argues that liberal freedom "entails the right to live unexamined as well as examined lives – a right whose exercise may require parental bulwarks against the corrosive influence of modernist skepticism" (Galston 1989, 100). He claims that since autonomy is not a basic requirement of citizenship the state has no right to intervene or to insist that the child engage in "Socratic self-examination" (100). In any case, parents cannot seal off their children from the knowledge of other ways of life and some measure of reflection will result from this awareness. Of course, Galston does argue that freedom of entrance and exit from particular groups must be safeguarded by the state, implying that some degree of autonomy and choice between ways of life must be protected.

Loren Lomasky offers another objection to education that promotes autonomy. Lomasky argues that the ideal of autonomy is "more often than not, covertly used to oppose influences that the theorist happens to disfavor" (Lomasky 1987, 182). According to Lomasky, it is not necessary that the child be liberated from the values of her parents - it is only necessary that she adopt some values as her own so that she is not rendered servile. Lomasky argues that a child's needs are not met if she is left "attitudeless and valueless, and thus can only be moved to action by the projects of others" (185). However, if the child ends up subscribing to the values of his parents, those become her own and the child's good as a project pursuer has been satisfied. "It is not *which* ends the child will come to value that is crucial or *how strongly* they will be held. Rather the relevant question is: *whose* ends will they be?" (186) If the child see the ends as his or her own, it is not important, according to Lomasky, that those ends were chosen autonomously from a smorgasbord of goods. It is only important that child value them independently as his or her ends.

Whether or not autonomy should be the focus of educative efforts, or even whether the instrumental argument proposed by Arneson and Shapiro and by Brighouse is a satisfactory goal of such an education, cannot be definitively determined here. The majority of liberal philosophers of education would likely argue for some form of education for autonomy because they value individual freedom and the right to choose one's own course in life and believe that this right must override objections. Callan, who has made a case for the importance of education for autonomy, argues that we cannot allow parents to deny such an education to their children. "My principal claim," Callan says, "is that although parents might have a right to reject schooling that instills commitment to an open-ended ideal of autonomous development, they have no right to reject educational provisions that would conduce to the degree of autonomous development that schooling as the great sphere, properly understood, would seek to establish" (Callan, 1997, 135). In this view, education must involve engagement with rival ways of life in such a way that they are "addressed as potential elements within the conceptions of the good and the right that one will create for oneself as an adult" (133). While Callan argues that parent responsibilities with regard to schooling should not unduly burden the parent and that we should want a conception of parents' rights in education that recognizes the hopes parents have for their children, this does not mean that parents can reject education for autonomy. "To be denied a sympathetic understanding of ethical diversity by parents who seek to preserve unswerving identification with the primary culture of birth is to be denied the deliberative raw material for the independent thought about the right and the good that a developed autonomy necessitates under the conditions of pluralism" (148).

According to Callan, we must insist that children are able to choose for themselves what will constitute their version of the good life. An education which works to give children sovereignty over their lives can at the same time honor the rights of parents and contribute to the ends of civic education.

Macedo concurs with the view that objections to education for autonomy must be overruled. Macedo claims that accommodations for religious parents often trump the child's right to future autonomy. Macedo argues that at some point decisions such as *Yoder v. Wisconsin*, which granted Amish families an exemption from two years of compulsory high school, should be overturned (Macedo 2000, 208). In granting the Amish exception, he argues, we are abetting the parents' desire to keep their children uninformed and denying children the right to future autonomy. In order to learn the liberal virtue of tolerance and respect for diversity and for the sake of their own future autonomy, children must be respectfully exposed to diversity. In the case of *Mozert v. Hawkins* parents requested that children opt out of a reading program that exposed their children to a variety of ideas they found religiously offensive and made it difficult for them to pass on their particular beliefs. Macedo says that such parent requests may seem harmless enough but go to the "heart of civic education in a liberal polity" (Macedo 1995, p. 471). Children must not be kept from the education required for future autonomy and citizenship, and an awareness of other ways of life is a necessary part of such an education.

It is largely assumed that religious parents will be unable or unwilling to provide an education for autonomy. Brighouse labels religiously sectarian education as repressive and claims that parents who waive autonomy-facilitating education for their children "typically live in tight-knit communities which limit the opportunities for exposure to other ways of life" (71). Children raised in such communities are particularly disadvantaged if their character is incompatible with the demands of their parents' or communities' religious commitments. Brighouse gives the example of a homosexual boy who would not have the opportunity to live well in a community in which the "religious norms prohibit any avenues for living well as a homosexual" (73). If we allow parents to exempt their children from autonomy facilitating education, those children who are suited to the parents' way of life will have great opportunities to live well, while others will have few or no such opportunities. Brighouse argues that this constitutes an injustice that the right of exit does not clear up. Brighouse claims that children who do exit will be even worse off than those who stay because they have not been prepared for the social milieu of modern society.

Dwyer suggests that when considering the question of children's rights in education, we should return to what Rawls has termed the "Original Position" and make our recommendations not knowing whether, when the veil is lifted, we will be "children whose parents are Catholics, Fundamentalist Christians, Jews, Muslims … agnostics, Satanists, Ku Klux Klan members, or persons of some other ideological stripe" (Dwyer 1998, 150). Dwyer goes on to argue "if we take a moment to reflect, imagining that tomorrow we will be reborn and that our parents will be members of a religious community that strives to repress the minds of children so that they are incapable of rejecting the community's beliefs or pursuing a life outside of the community as adults, we would surely want to have guaranteed for us an education that counteracts this effort, that makes it possible for us to choose and live successfully within other ways of life and systems of belief" (168). However, while Dwyer suggests that we should look at religious education from Rawls' "Original Position," I suspect that we tend rather to regard it with all our personal conceptions and misconceptions in place. When we view religious ways of life from the outside, we likely do so from the perspective of an autonomous adult, sceptical at the possibility of any such thing as religious truth, and thankful that we have escaped being indoctrinated into so narrow a life. But those on the inside of such communities no doubt view the rest of the world with equal discomfort, convinced that their children would be much better off living according the norms of their particular culture. Assuming a neutral position is difficult and Dwyer seems to have as much trouble with this as anyone. Dwyer seems intent on presenting an argument that will cause us to reject the religious schooling he considers to be a hindrance to autonomy, rather than to consider the possibilities that exist within religious communities. Naturally, none of us would want to be the victims of an upbringing that makes it impossible for us to freely consider our options, but perhaps a religious education is not the barrier to choice that Dwyer or Brighouse claim it to be.

Consider the Amish, a group that has been used in innumerable arguments as the example of all that is wrong with religious education. The Amish clearly do withdraw from society and apparently train their children solely in the ways of the Amish. They do not, it is claimed, allow opportunities for critical reflection or personal choice (Arneson and Shapiro 1996). Certainly the Amish are among the most insular of communities in the United States, similar to the Hutterite communities found across the Canadian prairies. However, perhaps at least some reflection about other ways of life occurs even in Amish communities. The Amish interact economically with businesses from outside their community, engaging in the manufacturing and production of goods and equipment sold throughout Canada and the United States. They conduct negotiations with government officials and lawyers, live on farms that border public roads in populated areas of the US, and have to put up with a steady stream of tourist traffic. Even for the Amish it is impossible to keep out all knowledge of the outside world, or to keep their children from realizing that there are conflicting values in the world. The Amish may teach their children, for example, that non-violence is an inviolable moral principle, but surely children question whether their parents are right when they are mocked by an 'outsider' or challenged by an neighbour. Does it not require some critical thinking to reconcile this dilemma? The Amish claim that their faith is contingent on individual choice and that they encourage their children to make personal choices (Arneson and Shapiro 1996, 368), but Arneson and Shapiro argue that what the

Amish offer is only the illusion of choice (370). However, the fact that the Amish believe that some choices are wrong and that perhaps only one is best, does not mean that individual Amish citizens are prevented from making personal choices. Any upbringing will predispose children to favour some choices over others, but will still leave them with a varying range of choices. The twenty percent exit rate (368) from the Amish community suggests that individuals become aware enough of other values to be able to consider their merit and embrace them as their own if they so choose. One should not assume that none of the Amish reflect or think critically about their values or way of life; perhaps in fact the Amish are as likely to be thoughtful and reflective as most people.

Even though few religious communities are as isolated as the Amish, Brighouse imagines religious parents as living in insular communities that shut out all knowledge of the world including, seemingly, information about the economic and social organisation of society (Brighouse 2000). Children who grow up in these communities, he argues, will be ill prepared to enter mainstream society at a later point in time. This fear, however, seems scarcely reasonable. Modern culture is, as one writer describes it, "dominant, pervasive and unavoidable," (Salomone 2000, 212) and few families would be able to isolate themselves from it. The majority of deeply religious families live, not in isolated communities like the Amish or the Hutterites, but in neighbourhoods that are not segregated by religion. Most religious families engage in the activities of the larger community and many initially send their children to local schools, only later seeking accommodations or withdrawing to separate schools. Many are active in politics, perhaps to the chagrin of liberals like

Brighouse, who laments the fact that "in the US, fundamentalist Christianity remains a strong cultural force, and even a remarkably strong political force" (Brighouse 2000, 207). Nor does religious education appear to be an impediment to preparation for a mainstream career. As Raz notes, members of all communities inhabit the same economy and must possess "the same mathematical, literary, and other skills required for effective participation." (Raz 1994, 173). Considering the number of scientists, entrepreneurs, educators, or other professionals who, though raised in religious homes and schools, are highly successful in their chosen careers, religion does not seem to be an impediment to acquiring those skills. We have no reason to believe that religion or religious education is a hindrance to engaging in the complex milieu of modern society. Brighouse, I think, highly exaggerates the isolation experienced in religious communities, and children in religious schools are likely much better prepared for "modern society" than what he acknowledges.

On the other hand, common schools may not be an option for parents who wish to ensure their children become familiar enough with their particular culture to make their way of life a real choice. Too frequently promoting autonomy is merely a way of replacing religious culture with the secular, 'freeing' children from their parents' life and presenting them with another. The culture children encounter in common schools is not one that, in general, values religious ways of thinking, particularly if aspects of the religion in question appear to be antithetical to liberalism. As Dwyer describes it, the general population is likely to

> disparage those who espouse ideologies or engage in practices for which they can give no reason other than an appeal to authority internal to their

> belief system. We may confront them, ridicule them, or simply look askance at them for their blind adherence to the dictates of authority or imitation of others ... their children will incur the scorn of mainstream America if they grow up to be like their parents (Dwyer 1998, 172).

Dwyer goes on to say that there is no reason why we should "expect mainstream Americans to develop a respect for people who argue dogmatically for reactionary policies based upon religious premises we do not share" (173). Dwyer argues that the self-esteem of these children will be irrevocably damaged if we allow their parents to bring them up within their narrow, dogmatic cultures. Dwyer's comments raise a great many questions: isn't tolerance meaningful only if it does extend to ideas we do not share? Why must the ideas we tolerate be validated by an outside authority? And why is the general population, raised presumably in liberal common schools that teach tolerance and respect, so openly disrespectful of another way of life as to cause children to suffer permanent damage to their self-respect? Of course children may have been warned to expect this disrespect and be prepared for it: "Blessed are you when people insult you, and persecute you and falsely say all kinds of evil against you because of me. Rejoice and be glad, because great is your reward in heaven, for in the same way they persecuted the prophets who were before you" (Matthew 5:11-12, NIV). But this is perhaps a digression. My point here is that children will be well aware of the fact that mainstream America, as Dwyer points out, does not value religious beliefs. At the same time the consumer culture will do its best to intrude and entice. It is quite likely that parents who enrol their children in common schools will have a great number of barriers to overcome in giving their children an appreciation for their religious way of life. Depending on the attitudes in particular schools and communities, a religious way of life may not even become a viable option for children educated in common schools. It could be argued that common schools are as likely as religious schools to preclude some choices, particularly religious ones.

While Dwyer does not appreciate or value religious ways of life, there are those who recognize and value the contribution made by religious ways of thinking. Warren Nord, who has much to say about religion and education, writes that religion

> is important because it has given voice to universal spiritual questions of ultimate concern. It has structured our thinking about suffering and salvation, death and the meaning of life, guilt and forgiveness, love and community; it has spoken to our deepest hopes and fears. Whether or not we approve of the various religious answers to these existential questions, we must acknowledge the importance of attempts and the ultimacy and the universality of the concerns. If students have no sense of the spiritual dimension of life, they are ignorant of much that has been and is central to the human condition (Nord 1995, 205).

Religious education is likely to encourage children, as Nord suggests, to consider important questions about "death and the meaning of life, guilt and forgiveness, love and community," questions that a secular education is unlikely to address. Thinking about their spirituality may encourage children to reflect seriously on their own lives and to determine what is or is not important for them. Religious education, in other words, may encourage autonomy because it encourages reflection. Of course, Nord would recommend that children learn something about the spiritual in common schools, but acknowledges that for the present that is not likely to happen. For the most part, common schools do not present religious ways of living as realistic options, and so if that choice is to be made viable religious schooling may be required. For parents to ensure that a religious way of life is a real choice, a separate school may be the only solution.

Brighouse believes that religious choices can be presented in common schools in such a way as to make them feasible choices for children, but I think the nature of religion makes this doubtful. Brighouse proposes a series of curricular objectives that would be required by autonomy-facilitating education, including instruction in religious and non-religious ways of thinking. It is a little difficult to understand why Brighouse feels compelled to give children the opportunity to choose a religious way of life at all, given that he seems to view religion as a barrier to autonomy and thus to a good life. Even so, he suggests that schools should bring in a series of advocates for various "religious, non-religious, and anti-religious ethical views" since a "child cannot be autonomous either in her acceptance or rejection of a religious view unless she experiences serious advocacy" (Brighouse 2000, 75). These presentations would have individuals describing personal experiences, conversions, and losses of faith, and would presumably result in children choosing to make one of these views their own. It seems hardly possible, however, that a series of classrooms presentations would result in children making any sort of meaningful choice with regard to religion. Regardless of how serious any advocate may be, to be addressed by the proponent of a particular view as part of a series of lectures is scarcely an effective promotion of a particular way of life. Because of its limitations, a classroom presentation is an unlikely means of conveying the mystical or spiritual nature of religion or the consequences of committing oneself to a 'road less travelled.' As a means of exposing children to diversity, this approach is necessarily limited, for few schools would have the resources to present more than a certain selection of views in any comprehensive way. Neither would this proposal satisfy the religious parent, for it fails to present children with a deep understanding of any one religious choice and may in fact omit their perspective entirely. Even in a common school that attempts to include some religious views, the child's choices would still be limited. If this is the case, separate schooling may not limit a child's choices with regard to religion in any more serious way than any school must.

In summary, being able to choose our own course in life is of fundamental importance to each one of us. No one should be so hampered by their upbringing that they are unable to 'exit' from it. In one way or another, however, our choices are affected by people who have influence on our lives and sometimes by the opportunities that come our way. Any upbringing and any education, whether religious or secular, will predispose children to select some options and reject others. Education for autonomy can only assure that some choices are available and that children are prepared to think through what is the best choice for them and this can be accomplished by either common or separate schools. Perhaps separate schools close off some choices, but it is unlikely that any school opens all doors.

Some schools simply have more resources, some emphasize particular fields of study and neglect others. Religious schools are most likely only to present one religion as viable choice; common schools on the other hand are unlikely to present any religion as a serious option and there is no reason to insist that they do. If it is not possible to provide an education in all choices, then parents should only be expected to provide an education in the options they feel are most critical for their child's good. If religious schools have the necessary resources, they can as readily as common schools prepare children for careers in a wide variety of fields, present science and arts as fascinating fields of study, or prepare students either for a life of community service or business pursuits. Of course, separate schools with more resources could provide more options for students and this may be one good reason for governments to consider funding religious separate schools.

Conclusion

In this chapter I have identified and described some of the requirements of civic education in liberal democracies and explored the possibility of meeting those requirements in religious separate schools. It is my conclusion that separate schools can meet all the requirements of civic education, even those of a strong and robust version, and perform the same role as common schools, and I would say there is, therefore, good reason for governments to offer funding to separate schools. Separate schools teach children to read, write and compute, to participate in politics and to serve their communities. Nor is separate schooling a barrier to tolerance, for tolerance can be encouraged whether or not all those we are to tolerate are present in the room, and in any case considerable diversity will likely be present even in religious school classrooms. Critical thinking skills are generally regarded as necessary, both for the encouragement of democratic deliberation and for the child to attain to an autonomous future. Though religious education may approach critical thinking from a different perspective than secular education does, religious separate schooling does not preclude critical reflection, for there are, as Burtt argues, "religiously grounded ways to choose well in civic and moral matters" (Burtt 1996, 413). In fact a religious education opens up an option that is unlikely to be available in common schools, that is the opportunity to think things through from a spiritual perspective. In light of this, a particular education does not preclude choice for children.

All of this is not to say that all religious separate schools are models of liberal education, but it is probably fair to say that neither are all common schools. What we can say is that separate schools can provide a rigorous civic education and that many of them do so. Because these schools do an important work in educating the future citizens of our pluralistic democracy, governments have reason to provide separate schools with the money that is collected for the education of the who are enrolled in those schools.

IV. BEYOND A COMMON EDUCATION

In Chapter Three, I argued that separate schooling need not undermine the goals of liberal civic education. If religious separate schools can meet all the requirements of the most robust version of civic education, then governments have good reasons to fund separate schools. Such schools would be doing the same work as common schools in preparing children for future citizenship and should therefore receive the monies designated for the education of the students they enrol. Curiously, philosophers such as Gutmann and Callan argue against this conclusion. It is their view that when religious separate schools meet the goals of common education they become indistinguishable from common schools and thus are no longer essential to the particular community they once served (Callan 1997, Gutmann 1995). Callan argues that when separate schools effectively offer common education, including the development of respect across boundaries of race or social class, they weaken their case for separate schooling. He presents as an example the case of American Catholic schools that have proved highly successful in providing a common education, so much so that their distinctiveness has become diminished. "Some Catholics themselves have worried about whether religious schools that are primarily instruments of the common good, rather than vehicles of Catholic dogma and devotion, are distinctively Catholic at all" (Callan 1997, 179). Both Gutmann and Callan reason that the more separate schools become like common schools that recognize and value diversity, the more difficult it becomes to make a case for the necessity of separate schooling or to claim state funding for such schools.

On the other hand, neither Callan nor Gutmann would support public support of separate schools that did *not* meet the requirements of common education, particularly the promotion of tolerance and respect for diversity. As Gutmann sees it, if schools do not fulfill the central aims of civic education there is no justification for state funding and their support should be left "primarily to parents and private associations" (Gutmann 1996, 164). Similarly, Callan argues that while the state may grant parents the right to raise their children in a particular way of life, the state is not required to assume responsibility for ensuring that such an education occurs. "We can hardly have a duty to sponsor an educational option that parents want to take when that option is markedly less satisfactory, given the child's educational rights, than the option of common schooling that might otherwise be accepted by the parents" (Callan 1997, 188). Callan suggests that if a particular separate school provides a satisfactory common education, we may be tempted to provide funding for that reason. However, separate schooling that is indistinguishable from common schooling would become less crucial, for parents could not claim that any great harm would be done if their children were sent to common schools. If, on the other hand, separate schooling supports a way of life that is unlikely to survive a common education, it becomes more necessary for the community, but less deserving of public support. Thus Gutmann and Callan create a dilemma for separate schooling dilemma that appears to leave no room for a claim for funding. In their view, separate schooling that meets the goals of common education does not warrant state support because these aims could as easily be achieved in common schools, yet separate schooling that does *not* meet the requirements of common schooling does not warrant funding on that account.

The dilemma just described rests on an understanding of separate schooling and common education as distinct and irreconcilable. In this view a school cannot offer both a common civic education and a distinctly separate education at the same time. I argued in Chapter Three that separate schools can meet all the requirements of the most robust form of civic education, promoting both tolerance and autonomy and teaching the skills of critical reasoning. Such schools do not undermine liberalism or democracy, nor do they aim to prevent children from living autonomous and personally fulfilling lives. They do, however, seek to provide children with a deep understanding of a particular way of life and civic education will thus be presented from within that perspective. The religious perspective may support the same principles as the secular perspective, but do so for very different reasons. As David Carr argues, "diverse belief systems offer different accounts or justifications of what is widely endorsed … This explains why we often find ourselves admiring a religious or ideological opponent for virtues he clearly exhibits – even when he justifies them in terms we could not possibly accept" (Carr 2001, 175). For example, in a religious school civic participation may be grounded not just in an understanding of democratic responsibility from a liberal perspective, but also in an understanding of the nature of mankind and society as derived from religious texts. Children may be taught that tolerance and respect for others are important because God highly values each unique individual. They may be taught to value individual autonomy because God has first of all given human beings free choice.

Or, as critics of fundamentalism may point out, they may be taught to honour authority because God commands it. While their reasoning will not always come first from a liberal perspective, it is as feasible for separate schools to offer a common education from a spiritual perspective as it is for public schools to offer that education from a secular stance. No doubt there will at times be some tension between education in particular ways of life and education for autonomy, but perhaps that tension will seldom be greater than the tension between education for autonomy and education that promotes liberalism. Liberal civic education and education from a religious perspective need not be mutually exclusive, nor do the goals of one make the other unattainable.

Separate schools that maintain their distinctiveness while meeting the aims of civic education have reason to claim public support on two accounts. First, as shown in the previous chapter, they are serving a common purpose in educating children for citizenship. Second, as I will argue in this chapter, separate schools play a unique role that cannot be fulfilled by common schools, but which nonetheless has great value for individual members of our society and even for society as a whole. In the first section of this chapter I will argue that separate schools reflect and sustain the character of our society as a multicultural, pluralistic democracy, allowing families and individuals to maintain ways of life that may otherwise be assimilated into mainstream culture. Following this I will show that it is important to allow particular cultures, including religious cultures, to maintain their distinctiveness because such cultures give meaning to individual lives. In the final section, I will argue that children benefit from being raised according to a particular moral perspective. Cultural communities and separate schools give children a deep understanding of a particular way of life and may offer them, as well, a uniquely spiritual way of considering the choices they must make. Because particular cultures are important to individual citizens, liberal states have good reason to assist cultural groups in maintaining their identities.

Multiculturalism

North American society is by nature a riotous mix of cultures, languages, histories, and stories; we have come from all parts of the world for all kinds of reasons to take up citizenship together. While liberal response to this diversity has been varied, multiculturalism is generally seen as a good thing. Liberals who value pluralism urge us to acknowledge the multicultural nature of our society and appreciate and celebrate our diversity. According to Will Kymlicka, "intercultural diversity contributes to the richness of people's lives" (Kymlicka 1995b, 121). Susan Wolfe argues that the main reason for reading and studying literature from a broad spectrum of cultural groups is that

> by having these books and by reading them, we come to recognize ourselves as a multicultural community and so to recognize and respect the members of that community in all our diversity … There is nothing wrong with allotting a special place in the curriculum for the study of our history, our literature, our culture. But if we are to study our culture,

> we had better recognize who we, as a community, are (Wolfe 1994, 83 and 85).

Who we are, as Wolfe sees it, is a multicultural nation. Multiculturalism is a good because it creates more options for each individual and expands the range of choices for all citizens, encouraging autonomy as people with different perspectives and ways of life confront and learn from each other. Thus cultural diversity has the effect of changing and enriching the lives of all those fortunate enough to live in a pluralistic society (Kymlicka 1995a, Spinner-Halev 2000).

For the most part, the liberal response to diversity has been to promote tolerance for different ways of life represented within the boundaries of the multicultural state. Some liberals, however, experience some unease with regard to the promotion of difference, whether through separate schooling or by other means. They would claim that it is our commonalities that hold us together as a society and polity and that we would do best to encourage a common identity rather than emphasize our differences. Will Kymlicka, for example, argues that it is hard to see how it would be possible to develop a sense of mutual identification in a society founded on deep diversity. If each group had its own rights and status it would be difficult to maintain an overall identity and loyalty. “Citizenship,” he claims, “should be a forum where people transcend their differences, and think about the common good of all citizens” (Kymlicka 1992, 28). Kymlicka says that at least some liberals fear that minority rights will erode civic virtue and participation. “A classic example,” he says, “is the fear that allowing or funding schools for particular religions will destroy one of the most effective forums of citizenship education – the state school system, where children learn to play and work with children whose parents have different religions, ethnic backgrounds, and value" (Kymlicka 2000b, 38). Thus separate schools are feared for their potential to erode the motivation, capacity, and opportunity for students to act as good citizens (38).

Multiculturalism, in this view, is seen as a barrier to good citizenship. Liberals also fear that at least some minority communities that may be supported under multicultural policies adhere to illiberal views. They fear multicultural policies will lead to support for intolerant communities that "hold on to reluctant members against their will" and that rights may be granted to inferior and oppressive religious cultures (Raz 1994, 159). To some, the practicalities of supporting minority cultures seem overwhelming to some when they consider that assistance may be demanded by seemingly innumerable cultures (Walzer 1994). To others, a policy of support for cultural groups undermines the commitment to individual equality and identity that is at the heart of liberalism. "Liberal individualists believe that the idea of group-differentiated citizenship is misguided, if not a contradiction in terms" (Kymlicka 1992, 26). They believe that citizenship and rights must be claimed on an individual basis and not on the basis of group membership. These liberals would therefore argue that the state should "neither support nor hinder the maintenance of group differences" (27).

A number of responses can be made to these concerns. While some liberals fear that promoting group differences will fail to create a shared sense of citizenship, I would suggest that attempting to impose a uniform conception of citizenship on diverse groups is likely to be counter-productive. Groups whose concerns are not met by the state or are ignored by the majority population are unlikely to develop positive attachments to that state. Thus, Waldman, whose case introduced this study, may feel alienated by the state that failed to validate his claim for support for the Jewish education he provided for his children. On the other hand, citizens who are free to develop and preserve their own particular identities within the nation as a whole are likely also to develop some sense of attachment to the state in which they so flourish. Would support for particular groups necessarily entail the support of illiberalism? Of course, we must recognize as Kymlicka does, that "the liberality of a culture is a matter of degree" (Kymlicka 1995a, 94). That some minority cultures do not seem as liberal as the predominant culture does not mean that they are not more liberal than they were in the past, that they will be unlikely to adopt more liberal characteristics in the future, or that there is nothing worth supporting within that culture now. Nor would agreement to some claims require that all groups be supported in the same way. If some groups practice injustice or infringe on the rights of their members, it may be that the state must refuse to support or even tolerate their continued existence. It is easy to sympathize with concerns that the state will be swamped with demands from a wide variety of groups and that it will be impossible to evaluate or respond to all of these claims. That there may be a great many demands, however, does not diminish the importance of each claim. If it is important for our society to recognize and promote its multicultural nature, then it is important to find a way of attending to the claims that arise. That it is possible to meet the demands of a wide variety of cultural groups to is demonstrated, at least on a small scale, by the Edmonton Public School Board, which successfully provides unique programs for over twenty different cultural groups within its boundaries, including, for example, aboriginal, Jewish and Christian groups (see Programs of Choice, `www.epsb.ca`).

One way of recognizing and valuing diverse cultural groups is to include their histories in an accurate and respectful way in school curricula. Such inclusion should be extended to religiously based cultures, whose importance in shaping our society and our common culture is often unacknowledged. Warren Nord has argued extensively that religion has been, and still is, important to our society and that by neglecting religion, "the educational establishment has disfranchised large segments of the American people" (Nord 1995, 8). Many Americans, he argues, identify themselves not in terms of nationality or ethnicity, but according to their religious subcultures. "It is important that students hear women's voices, the voices of ethnic and cultural minorities in America, and Third World voices; but multiculturalism should also require that they hear religious voices" (225). For this reason, Nord proposes that the school curricula should present a wide variety of voices so that students learn to think critically about the diversity of stories and religions that make up American culture.

Common education, however, has tended to assimilate diversity and promote a common culture, rather than to celebrate difference. The purpose of public education has always been to shape a common identity. Granted, our definition of that common identity has changed considerably since the introduction of public schooling. In the early days of public education in the United States, schools taught reading and arithmetic, to be sure, but they also actively taught Christian doctrine and religion (Nord 1995, Macedo 2000, Salomone 2000). In Canada, education served to acculturate immigrants, training them to serve God and honour the King (Wilson 1985). Interestingly enough, the educative efforts of those who wished to raise a nation of God-fearing Protestants seem to have failed. Today it is liberalism, rather than Protestant Christianity, that is seen as our common culture, and illiberal ways of life have become the target of assimilation. Education in the shared values of our culture is seen as vital to the preparation of future citizens. Such a purpose will, of necessity, erode diverse and particular cultures and ways of life.

Given the diversity within our society, it is difficult to imagine anything like a homogenous culture ever developing in North America. However, consider the number of immigrants who have arrived in North America in the last centuries and who have for the most part lost their original languages and been absorbed into North American culture. While they may retain some of the traditions of their places of origin, were they to return to those places a generation later it is likely that they would find that they had been surprisingly changed by their new world. Habermas argues that all cultures gradually revise themselves, but "this is particularly true of immigrant cultures, which initially define themselves stubbornly in ethnic terms and revive traditional elements under assimilationist pressures of the new environment, but then quickly develop a mode of life equally distant from both assimilation and tradition" (Habermas 1994, 131). While I would not argue that assimilation is always a concern, the fact that immigrants soon lose their traditional ways does illustrate the difficulty of maintaining particular ways of life in the face of a majority culture that is relentlessly pervasive.

Given, then, that common schools tends to assimilate diversity, minority groups that wish to preserve their particular ways of life will likely have to take deliberate measures to prevent assimilation. One of the more effective ways of to protect themselves from the assimilative effects of the majority culture may be to provide separate schooling for their children. A society that values difference and acknowledges the right of individuals to pursue their own versions of the good would have good reason to support such separate schools, even when this seems to require special treatment. Groups that are struggling to protect their identities may have needs that can be met only through group-differentiated policies. Kymlicka and Norman list a number of ways in which cultural diversity may be respected, including, among others, exemption from laws that burden them and the assistance to do things the majority can do unassisted (Kymlicka and Norman 2000, 25). It could be argued that to require some religious minorities to send their children to common schools burdens them in ways that it does not burden the secular majority, for it may undermine their particular ways of life. For that reason they could also claim assistance in providing religious schooling for their children for, unlike the majority, they do not otherwise have access to education that reflects their culture and way of life.

In the case of *Adler v. Ontario*, Justice L'Heureux-Dube reasoned that for the complainants in question, control over the education of their children was essential for the continuation of their particular religious communities. Because the appellants were members of small religious groups that were struggling to protect their community from the assimilative effects of secular society, L'Heureux-Dube concluded that "denial of any funding constitutes a complete non-recognition of the children's and parent's fundamental interest in the continuation of their faith" (*Adler v. Ontario* 1996, 663). L'Heureux-Dube perceived that what was at stake were the "efforts of small, insular religious minority communities seeking to survive in a large, secular society" and argued that we should "protect socially vulnerable groups from the discriminatory will of the majority as expressed through state action … it is the very survival of these communities which is threatened" (664). According to L'Heureux-Dube, the survival of small cultural groups, including religious groups, is important to the multicultural nature of our society, and secular public education threatens that survival. For this reason, and because of the importance of particular ways of life to both the children and parents in question, she ruled in favour of the appellants' claim for funding for separate religious schools. Her ruling would no doubt be applauded by McConnell, who makes this claim:

> if society is pluralistic in character, collective education will distort, rather than reproduce, the social conditions of society. America is made up of people of diverse cultures and beliefs, and the best way to ensure that the next generation will be of similarly diverse character is to allow subgroups to pursue their own understanding of educational aims (McConnell 2002, 101).

As a multicultural society we benefit from the diverse ways of life represented in our democracy. To protect those ways of life we may sometimes need to support group efforts to protect their identities. In those cases where cultural groups feel compelled to establish separate schools to promote their particular way of life, state support may be justified in recognition of the vulnerability of minority groups. However, such group recognition and support is sometimes seen undermining the recognition of individual equality and the concept of citizenship based on individual identity. In the next section I will argue that group recognition and support is justified only on the grounds that groups have value for the individuals who choose to identify with particular groups or cultures. Separate schools do not serve a good because they preserve culture for its own sake; rather they preserve ways of life that are important to individual citizens. In this way, supporting groups in their efforts to maintain their distinctiveness does not undermine individualism, but assists individuals in maintaining ways of life that are important to them as individual members of liberal society.

Identity and Community

In this section I will consider the importance of group membership and the subsequent implications for separate schooling. Separate schooling can help maintain minority cultures so that individuals who find their identity in such groups can continue to live meaningful lives within the larger society. Protecting minority cultures in our multicultural society is important only because group membership gives meaning to individual lives. I will refer to Charles Taylor's work on identity in order so show why individual identity is so important and how it is linked to group membership. Jeremy Waldron gives an extensive criticism of appeals for group recognition. In responding to his arguments I intend to show that group membership, whether in religious, national, or other cultural groups, is in fact very important for individuals in today's cosmopolitan society.

Group Recognition and Individualism

Separate schools can serve a role in preserving the multicultural nature of our society. However, multiculturalism is not an end in itself. A number of liberal philosophers have argued that cultures do not have a right to survive and I would agree that in this they are correct (Callan 2000, Macedo 2000, Gutmann 1995, Brighouse 2002). We are not obligated to support cultures or particular communities because of claims from the group as a collective. Rather, cultures must be sustained because they enrich and give meaning to the lives of the individuals who are members of those groups. Understood in this way, support for particular cultures is not inimical to liberalism, but confirms the liberal commitment to individual rights.

This is not to say that there is no disagreement over the matter of group interests and individual rights even within liberalism. Charles Taylor (1994), whose work on multiculturalism is highly regarded, supports liberal values, yet claims that the importance of group culture sometimes takes precedence over individual interests. Taylor argues that liberalism that insists on the universal application of rights and is suspicious of collective goals is inhospitable to difference. Taylor advocates instead a kind of liberalism that supports the efforts of distinct societies to avoid assimilation, illustrating his point with the example of French Canada. In order to ensure the survival of French culture, the province of Quebec passed laws governing language and education, ruling, for example, that French speaking citizens or immigrants do not have the right to send their children to English language schools and that businesses with more than fifty employees are required to operate in French. Taylor says that the French language and culture must be protected so that it is "available for those who might choose to use it" and to "make sure there is a community of people here in the future that will want to avail itself of the opportunity to use the French language" (58). Unless measures are taken to protect Quebec culture from assimilation into a "form of society that was alien to it," Quebec will have to "surrender its identity" (60). According to Taylor, the importance of cultural survival sometimes makes it necessary for public policies to ensure that survival.

Taylor's views are similar to those expressed by Justice L'Heureux-Dube in referring to the struggles of the *Adler* appellants to "maintain a space for a lifestyle which is infused with religious belief and practice" (*Adler v. Ontario* 1996, 661). L'Heureux-Dube argues as follows:

> The complete non-recognition of this group strikes at the very heart of the principles underlying (the Charter). This provision more than any other in the Charter, is intended to protect socially vulnerable groups from the discriminatory will of the majority as expressed through state action. … We cannot imagine a deeper scar being inflicted on a more insular group by the denial of a more fundamental interest; it is the very survival of these communities which is threatened" (*Adler v. Ontario* 1996, 664).

Both Taylor and L'Heureux-Dube seem to claim rights for cultural groups themselves rather than for the individual members of those groups. Taylor argues, with reference to the Quebec example, that people must sometimes give up individual privileges in the interest of cultural survival. He does not claim that any fundamental rights can be eroded, but suggests that we have gone too far in assuming that many of the privileges we take for granted are in fact rights. Taylor holds that if we continue to privilege individual rights and equality, we will eliminate difference. If Quebec, for example, were unable to protect its French language because in doing so it infringed on individual privileges, or, as some would argue, individual rights, the French language could disappear altogether and a particular way of life would be lost. Thus Taylor seems to privilege common goals over individual rights, taking a position that would justifiably cause some concern in liberal society. As a member of an egalitarian liberal democracy it is difficult to see why, for example, I should give up my right to send my children to English speaking schools in order to save French culture. If I did not feel any deep interest in the preservation of a particular culture, I would resist any privileging of that group's rights over my own individual rights.

Justice L'Heureux-Dube's claims in *Adler* seem to privilege culture in much the same way Taylor does. While I would not disagree with her opinion in this case, I would say that she bases her decision on the wrong argument. It is not the culture itself that has a right to survive, rather individuals must be granted rights to preserve something that is meaningful to them. The state cannot be expected to take measures to ensure the survival of a culture or community, except as those measures recognize individual rights. Callan takes issue with L'Heureux-Dube, arguing that the fact that some community is in a precarious position does not necessitate state provision to ensure its survival:

> To suppose otherwise is to assume that justice for a pluralistic society is, in part at least, a matter of trying to freeze communities of faith in their current forms. But that is an untenable assumption for a society of free and equal citizens. ... The decline and disappearance of some communities of faith is a virtually inevitable consequence of the free exercise of choice under multicultural conditions, and so even if we prize diversity as a matter of principle, that gives us no reason to infer that whenever a community's future is threatened, the failure of the state to mitigate the threat must be discriminatory (Callan 2000, 52-53).

Callan suggests that the only morally credible argument for group recognition is to base such recognition on the rights of the individuals whose identity is determined by membership in particular communities. "The interest in the survival of communities of faith is one whose importance we can and should acknowledge within the basic structure of individual rights" (53).

So we may choose to assist the Adler complainants in preserving their communities of faith, but we must do so on the basis of their individual rights and not because the culture itself must for some other reason be preserved. If the decline of a particular group is of little significance to its members, then there is no reason for the state to intervene to protect that group. If we create a future clientele by insisting that people follow a particular script now, we are denying personal autonomy. Where Taylor wants to ensure cultural survival across generations, those who argue against this view would leave such survival in the hands of individuals who choose to remain in a particular community, practice its traditions and speak its language, or alternatively, choose to reject that way of life in favor of another. As Appiah argues, requiring Quebec francophones to educate their children in French "steps over a boundary," requiring by law what should have been a matter of choice (Appiah 1994, 163).

Individuals must be able to choose whether or not they will live their life according to particular cultural traditions. If there are no individuals who choose to live in a particular community, that culture should be allowed to disappear or take on new forms. We can neither coerce others to join a particular community in order to ensure its survival, nor refuse them the right of exit. To do so would seriously harm their personal autonomy, even when their right of exit endangers the survival of the community. Individuals can petition the state for policies and concessions that make it possible for them to preserve their way of life for themselves, but they cannot place demands on others to make the same choice. Support for communities or particular ways of life, including support for sectarian education, must come on the basis of the rights of the individuals who have an interest in preserving a way of life that has meaning for them personally. Group recognition must be based on the rights of the individuals who are members of the particular communities in question.

The state maintains an interest in supporting particular groups, not because a culture or community has any corporate rights, but because of individuals who have an interest in the survival of the group. The crucial difference this would make in the French Canadian example cited by Taylor, is that the decision to participate in cultural activities would be left to the individual. The state could provide education in French or support French cultural events, perhaps motivated in part by the contribution French Canadians have made to the history of the nation, but mainly because individual citizens find meaning in the French community and have an interest in preserving it from erosion by the dominant culture. However, the state must not require individual participation in those cultural events or force parents to send their children to French language schools when they prefer to give them an English education. Personal autonomy is denied when individuals are not allowed to protect their particular culture as in the *Adler* case, or when they are not free to forego certain cultural practices, as in the case of French Canada.

Charles Taylor on Identity and Group Membership

Why is individual identity so closely tied to recognition of one's particular cultural group? It would perhaps be helpful to look briefly at the work of Taylor on identity politics (Taylor 1994). Taylor takes us back to the birth of liberalism, tracing the modern "preoccupation with identity" to the collapse of social hierarchies (26). In pre-democratic societies individual recognition was granted to persons on the basis of their position or role in the social structure. With the introduction of democracy this unequal form of recognition, which Taylor equates with honour, was replaced with a recognition of the dignity of all persons. Class distinctions were no longer valid; instead a "modern notion of dignity, used in a universalist and egalitarian sense," claimed equal status for all citizens (27).

This change was followed by another equally significant development regarding human identity. Prior to the eighteenth century "being in touch with some source – for example, God, or the idea of Good – was considered essential to the full being" (29). This has been replaced with a form of inwardness, in which we see ourselves as beings with inner depth. Our authenticity comes from being in touch with this inner nature. Individuals are called upon to be true to themselves, to live life in their own way. In Taylor's words, "not only should I not mold my life to the demands of external conformity; I can't even find a model by which to live outside myself. I can only find it within" (30). Only I can discover and define myself.

That being said, our identity cannot be understood in the absence of dialogue with others. Our understanding of what is good can be transformed by our interactions and negotiations with others whom we love. But an identity that depends on dialogical relations with others is open to rejection. Taylor argues that unlike earlier forms of recognition that were based on social categories that everyone took for granted, "an inwardly derived, personal, original identity doesn't enjoy this recognition *a priori*. It has to win it through exchange, and the attempt can fail" (35). Failure to win recognition can result in harm or oppression. This understanding has given rise to a politics of difference, which asks that we recognize "the unique identity of the individual or group, their distinctiveness from everyone else" (38). The politics of difference, says Taylor, asks us to cherish distinctiveness and "foster particularity," even when that recognition requires differential treatment (39). This is very different from the politics of equal identity that asks us to treat everyone from "an identical basket of rights and immunities" and which has been the "formula for the most terrible forms of homogenizing tyranny" (38, 51).

If equal treatment is always privileged over cultural goals, the result will be the elimination of difference. Taylor sees in Rousseau the foundations of liberalism that strives for the "absence of differentiated roles and a very tight common purpose" (51). Taylor argues, however, that an interpretation of liberalism that offers only such a "restricted acknowledgement of distinct cultural identities" is not the only possible view (52). What he calls for instead is a recognition of difference and a support for distinct societies attempting to avoid assimilation. In such a liberal society, Taylor says, "the integrity of cultures has an important place" (61). "Taylor's lasting contribution," according to Lawrence Blum, "is to provide a plausible philosophical underpinning for a human need to be recognized in one's *distinctiveness* especially … on *cultural* distinctiveness" (Blum 1998, 51). Taylor thus identifies the "human need for a recognition of distinctness, *apart from* its connection to social, political, and economic equality" (51).

Taylor's work has been the subject of a great deal of commentary and underpins much of the current work on identity politics. Commenting on Taylor's work, Steven Rockefeller contends that

> at a minimum, the politics and ethics of equal dignity need to be deepened and expanded so that respect for the individual is understood to involve not only respect for universal potential in every person but

> also respect for the intrinsic value of the different cultural forms in and through which individuals actualize their humanity and express their unique personalities (Rockefeller 1994, 87).

Recognizing cultural groups as having equal value meets a "profound and universal human need for unconditional acceptance" (97). Individuals need recognition not only for their own potentiality as an essential part of their personal identity, they also need to be affirmed and accepted as members of particular ethnic or cultural groups. "As Taylor points out, the formation of a person's identity is closely connected to positive social recognition – acceptance and respect – from parents, friends, loved ones, and also from the larger society" (97).

While Taylor sometimes seems to privilege culture over individual rights, his work nonetheless serves to demonstrate the importance of cultural groups to individual identity. Individuals are recognized as members of groups and how others perceive them or respond to them is often initially dependent on the group membership of the individual. This in turn shapes individual self-identity. One's self respect is thus directly tied to the level of esteem in which a particular group is held. If the group of which one is a member is not held in high regard by the rest of society or is the subject of ridicule or discrimination, personal esteem is negatively affected. Therefore, how society responds to a particular group and its needs has a direct bearing on individual members. While cultural groups in themselves may have no right to state intervention for their survival, individuals have a right to expect their particular group to be valued and respected for the sake of the members themselves.

Other works draw our attention to other aspects of group identification (Margalit & Raz 1995, Kymlicka 1995a). Cultural membership confers on us our sense of identity and provides us with a context for the choices we make. Group membership directly affects our personal prospects and defines for us the realm of what is possible. Our goals and future pursuits, our relationships with others, our understanding of what is moral and good and how we should live, are directly determined by the community of which we are a part. Through community we learn to respect and recognize others and to assume responsibilities. Parents and grandparents are deeply affected by the prospect of passing on their culture to their children and grandchildren. Culture links us both to the past and to the indefinite future, allowing us to transcend our own mortality (Kymlicka 1995a, 90). All of these factors lead individuals to form deep bonds to their particular cultures, bonds that Kymlicka sees as complex and difficult to explain. "I suspect," he says, "that causes of this attachment lie deep in the human condition, tied up with the way humans as cultural creatures need to make sense of the world, and that a full explanation would involve aspects of psychology, sociology, linguistics, the philosophy of the mind, and even neurology. … But whatever the explanation, this bond does seem to be a fact and I see no reason to regret it" (90).

Cultural membership is closely connected to individual identity and for this reason society must respect the needs and legitimate demands of cultural groups. Of course, individuals must retain the right to abandon their cultural membership or to choose to assume only some cultural traditions as their own. But while individual members themselves must have the right to initiate cultural change, such change must not be imposed on a culture from the outside, either by deliberate policy or by a failure to support legitimate demands of a particular group. Differential treatment can be liberal if it respects the differing needs of individual members of society.

The Importance of Group Recognition: A Response to Waldron

When recognition of cultural groups is granted on the basis of individual rights, group recognition is not in fact antithetical to liberalism. Even so, group recognition is challenged by some liberals on grounds that none of us belong so clearly to one particular sub-culture as to justify privileging its continued existence. Our identities, it is argued, are formed as a result of a complicated mix of influences including family, school, society, religion and the state. Jeremy Waldron refers to this composite identity as the "cosmopolitan alternative" (Waldron 1995). Waldron challenges the communitarian insistence that "people must keep faith with their roots" (99), claiming that individuals in fact do not *need* rootedness in a particular culture. The right to culture, he argues, is basically on the same footing as the right to religious freedom. Since a secular life is perfectly viable there is no point in subsidizing religion, for its death would be "like the death of a fashion or a hobby, and not the demise of anything that people really need" (100). The same, he says, is true for other types of culture – since it is possible to live a cosmopolitan life unattached to any particular culture, it is impossible to argue that any community must be supported because of individual *need*.

Waldron argues furthermore that to sustain particular cultures is to maintain something artificial or inauthentic, for we live in a globally interactive, cosmopolitan world that constantly changes the nature of those smaller communities. "To immerse oneself in the traditional practices, of say, an aboriginal culture may be a fascinating anthropological experiment, but it involves an artificial dislocation from what is actually going on in the world" (100). We are not, he argues, made by a single national or ethnic community; we owe much to the "wider social, political, international, and civilizational" structures that sustain the smaller communities with "which we pretend to identify ourselves" (103, 104). According to Waldron, to suggest that we define ourselves as belonging to specific, defined, homogenous cultural groups is an hypothesis that needs to be treated with caution.

Waldron rightly observes that the cultural stories with which our worlds are infused are heterogeneous: we gather them in bits and pieces from the communities and nations that surround us. It follows, in his view, that to freeze a particular small culture in its current state is illogical for there is no such thing in today's world as a pure culture that forms one's particular heritage. To insist that a culture must be preserved is to deny individual choice to those who wish to evaluate that culture and make "informed and sensible" choices about the viability of particular cultural norms and practices (109). "Either people learn about value from the dynamics of their culture and its interactions with others or their culture can operate for them at most as a museum display on which they can pride themselves" (109). For the most part "the custodians of these dying cultures live out their lives in misery and demoralization" (99). To preserve and protect a culture is to cripple its ability to adapt to changing circumstance or compromise with societies it comes into contact with, or, in other words, it is to prevent it from generating a history (110). Waldron claims that today's communities "do not come ready-packaged" and that often as not they may be built on hatred of one's neighbours or a desire to protect one's own privileged position. To focus on identity politics and cultural exclusiveness, he argues, is to turn away from the real world where our real identities are formed (113).

Waldron's critique is, I believe, mistaken in a number of ways. Waldron criticizes what he views as the communitarian insistence that cultures be preserved and that individual's live out their lives in "faith with their roots" (99). However, if communities are preserved because individuals find meaning in them, this is not an insistence on the part of some third party that the individual live life in a particular way. Liberalism, I argued earlier, would support cultural preservation only if that way of life provided meaning for individual citizens and only at their request. It would not be forced on them in the way that Taylor suggests that language laws could be imposed on the community in order to preserve a French Canadian culture. I would argue that Waldron is also in error when he so casually dismisses the individual need for attachment to a particular culture. He trivializes both religious and other cultural groups when he equates them with fashions or hobbies that can be picked up or dropped at will. Even if he were right in saying that cultural communities are not *needed*, it would be impossible to reduce culture or religion to something as trivial as a passing interest. Cultures embed beliefs about virtue and morality, family and community relationships, and much more. The external trappings of culture, food, clothing, holiday traditions and so on, are just that: external symbols of a life that holds much deeper meanings. Perhaps we could argue that these external trappings are not needed, but life would be deeply disrupted if the underlying fabric of the culture were destroyed.

Waldron argues that since it has been proved that individuals can easily live without culture or religion we cannot claim that they are needed. Brighouse makes a similar claim, arguing that people are "quite adaptable," often bearing tragic changes in circumstance with great fortitude (Brighouse 2000, 100). The gradual disappearance of a culture is thus of no great consequence. It is "extravagant," says Brighouse, "to claim that individuals will lose their personalities because of it" (100). There is, therefore, no need for government to seek to artificially maintain any particular culture. But this argument does not seem focused on what is best for people. Of course people are adaptable; we have seen both adults and children adapt to horrendous situations because of poverty or war or other political upheavals. That children survive on the streets of Mexico City, for example, is not proof that they do not need families or homes. That aboriginal children adapted to life in residential schools, does not mean that they really did not need their native culture. That youths grow up without any real understanding of the religion or culture of their ancestors and that they cope quite well in modern culture, does not mean that their lives would not have been enriched by that understanding. As Kymlicka argues, cultural membership may be something one can live without but only in the sense that one can live without "non-subsistence resources" (86).

Nor is it easy to leave one's culture or to move between cultures. Leaving the society in which we have been raised, to abandon perhaps the language in which we first learned to express ourselves or to sever relationships with other group members who have been a part of all our social interactions, is a grave step not undertaken without some difficulty. People normally expect to continue to associate with the culture in which they are born, and even when they deliberately choose to abandon that culture because of deep disagreements they have with it or for other reasons, it is likely that they will do so with some regret. "Leaving one's culture, while possible, is best seen as renouncing something to which one is reasonably entitled. This is a claim, not about the limits of human possibility, but about reasonable expectations" (Kymlicka 1995a, 86). Depending on the kind of cultural group in question, it may be equally difficult to assume membership in a new group. Kymlicka holds that people rarely move between cultures (85). To begin eating ethnic food or reading children's stories from another culture is not to move between cultures, but rather to enjoy the opportunities provided by the diversity found around us. But even when people do genuinely move between cultures, Kymlicka suggests that integration into a new culture is difficult.

At the very least, Waldron greatly underestimates the stress that is caused by either the forced or voluntary abandonment of one's cultural or religious affiliations. Nor can Waldron successfully argue that the cosmopolitan world is real and the minority culture artificial. To individuals, the particular cultures of which they are members may seem a great deal more real than the world at large. It is difficult for one person to maintain meaningful associations with a great many people; most of us have only a small number of close relationships. The same would be true of community affiliations. We can relate to, and therefore find meaning in, only a small part of the world, whether that means a small part physically or a certain global network related by some limited number of common interests. This small community is the world that is real for us. Those individuals or groups with which we have no connection or no close relationships exist for us to some degree like characters of a novel: we know they exist and what their roles are, we may feel some empathy or interest in their plight or their accomplishments, but are not personally touched by them. The cosmopolitan world is viewed not through any real feeling of connectness, but simply as something that *is*. We do not feel antagonism towards it and may in fact be grateful for what it offers us, but our experience with it is at an impersonal level. It is our small communities and cultures that give meaning to our lives. This does not mean, as Waldron suggests, that we cannot at the same time feel a loyalty to our state as whole, contribute to international causes that claim our attention, or recognize the importance of global cooperation. It simply means that we relate to our small community on a much more personal and intimate level – it is this world that is *real* to us.

Ferdinand Tonnies' classic distinction between Gemeinschaft and Gesellschaft may further illustrate this point (1957). Tonnies suggests that as society moved from a largely agrarian economy to industrialization, we moved as well from Gemeinschaft to Gesellschaft. Tonnies' terms can be translated as community and society, the one based on human relationships, the other on mechanical constructions. "All intimate, private, and exclusive living together … is understood as life in Gemeinschaft (community). Gesellschaft (society) is public life – it is the world itself. In Gemeinschaft with one's family, one lives from birth on, bound to it in weal and woe. One goes into Gesellschaft as one goes into a strange country" (33-34). As Strike describes it, Gemeinschaft is the world of the "family, the village, the congregation." Gesellschaft, on the other hand, is the world of the "market and the state, commerce and politics" (Strike 2000, 135). Gemeinschaft is the location of our relationships with others with whom we share cultural practices, or a "mutual binding to a common goal, shared set of values, and shared conception of being" (Sergiovanni 1994, 6). In the world of Gesellschaft we experience "loneliness, isolation, and feelings of being disconnected from others and from society itself" (9). It is a world where "mere activities and words" are the foundation of "unreal" relationships, based upon material matters or "formless contracts" (Tonnies 1957, 78). Of course, we do need the world of Gesellschaft, for it is the place where we conduct our trade and commerce and the place where structures of government and law and justice exist. Contrary to what Waldron suggests though, while we need the world of Gesellschaft, it is no doubt Gemeinschaft, where we build our personal relationships and find our identity, that is more real and alive to us.

Because he does not see community and culture as 'real', Waldron suggests, as does Brighouse, that it is artificial to attempt to preserve cultures and that it is better to let matters take their course and allow dying cultures to vanish. However, it is often not letting matters take their course that causes the disappearance of minority ways. Whether a culture is preserved or destroyed may be equally dependent on state action and policy, so that it is merely a matter of deciding which course we want to take. It is state insistence that all children attend common schools that has the most homogenizing effect and most directly erodes ethnic and religious traditions. If the state determined instead that religious communities should be assisted in offering sectarian education, then those religions may remain vital and alive. Why is one course of action more 'artificial' than the other? In a rather tragic example, state action was deliberately responsible for the attempted destruction of aboriginal culture in Canada. Determining that they would be better off immersed in imported European culture, government officials dragged native children off to residential schools, dressed them in European clothes, and forbade them to speak their own languages. The state could, instead, have provided resources for native communities, if required, to maintain some aspects of their own way of life. This would surely not have resulted in anything as 'artificial' as the destruction of culture by state policy.

The case of aboriginal Canadians is in fact a refutation of Brighouse's and Waldron's claim that individuals can easily adjust to the destruction of their culture. Native Canadians have long lived an uneasy existence, their own culture in many ways in tatters, the cosmopolitan culture obviously not offering them the meaning Waldron suggests it might. It is apparently not so easy to adapt after one's culture has been destroyed. A task force on native education describes the experience as follows: "A person who tries to enter mainstream society with a different set of values finds his or her sense of what is real and important attacked by the very way life is organized. Without strong beliefs few people from minority cultures can stand up to this attack since it comes from all sides in ways that cannot even be seen. The price paid for assimilation is sacrifice of one's self" (Olthuis 1986, 127).

Education was the primary means by which aboriginal culture was destroyed in the first place, and it is now one of the main means by which natives wish to reclaim their sense of purpose and traditional values. John Olthuis describes state policy, claiming that "for over one hundred years the government of Canada has viewed education as a prime vehicle for destroying native beliefs and values and kindling western values in young native people. Education was the centerpiece of the government's policy of assimilating native people into mainstream society" (126). In an attempt to reclaim their traditional beliefs and values, native peoples are now seeking to exert some control on the education of their youth both through public school curricula and through the establishment of their own alternative or separate schools. "Their rationale is that they have a right to, and wish to, live according to their beliefs and values and to educate their children with the help of a curriculum which expresses those values" (126). In the Edmonton Public School District referred to earlier, Amiskwaciy Academy offers First Nations people an opportunity to provide a high school education informed by native practices. The goal of the academy is to allow native youth to experience success in their educational pursuits, which until now have been tailored after needs of the majority culture. Many native Canadians now want to go back and recreate some of the ways that have been lost to them so that their youth can once more feel a rootedness and pride in their heritage and can avert the loss of self to mainstream society.

In summary, minority cultural groups in our society should be supported in the measures they take to ensure their survival on the grounds that these groups give meaning to the lives of the individuals who are members of their communities. How well groups are respected by the rest of society has a direct bearing on the self-esteem of individuals who are often first recognized by their membership in particular groups. Supporting minority groups in their efforts to maintain their identities may on some occasions require differential treatment, but when this is given on the basis of individual rights and needs, it need not be considered illiberal. Instead it recognizes that individual citizens often form their versions of the good in the contexts of the small communities that first nurture them, and that such communities exist for the good of those individuals.

Culture, Children, and Separate Schooling

Let me turn now more directly to how the issues of culture and identity relate to children and state educational policy. Children are as likely as adults to find meaning in cultural groups; in fact, one's relationship to a cultural group is most likely to be first nurtured in one's childhood. Because such relationships are valuable for both children and adults, parents should be encouraged in their efforts to raise and educate their children from the perspective of their particular communities.

Brighouse, however, argues that children do not have a culture of their own and therefore parents cannot claim the right to culture as a basis for controlling their children's education. "Fundamentally," he writes, "children do not have a culture. Ensuring that children are being raised exclusively in the culture of their parents is not granting them their right to culture because they do not have their own culture.

To suggest that they do is suggest that they are the kinds of beings that can evaluate and assess options available to them, which they are not" (Brighouse 2000, 101). In this passage, Brighouse seems to suggest that culture is something that one does not have until one chooses it after critical reflection on the available options. However, this seems scarcely credible. The cultures Brighouse has referred to in the passage immediately preceding this claim are British, Jewish, and French-Canadian. I do not see how one chooses, upon adulthood, to become a member of any one of these cultural groups. Is Brighouse suggesting that upon maturity, one chooses his ethnicity or his religion, having until that point lived without any cultural affiliation? Certainly adults can, after reflection, choose to abandon cultural customs and traditions and to reject certain moral virtues held by their childhood cultures, or conversely, they may choose to adopt some of the traditions or the language of a new culture. But this requires the adaptation or rejection of cultures of which they are already members. How did they attain that original membership and did it become theirs only on achieving adulthood or could they claim it as their own from childhood?

Other writers describe the acquisition of culture in very different terms. Unlike Brighouse, they argue that "on most accounts of group rights, the relevant sorts of groups are 'natural' or 'involuntary' ones, in that people are typically born into them" (Johnston 1995, 13). Cultural communities are "groups of person, predominantly of common descent, who think of themselves as collectively possessing a separate identity based on race or on shared cultural characteristics, usually language or religion" (Van Dyke 1995, 32). Margalit and Raz describe groups as having a common character and culture "that penetrate beyond a single or a few areas of human life." They argue furthermore that "people growing up among members of the group will acquire the group culture, will be marked by its character. … (G)iven the pervasive nature of the culture of the groups we are seeking to identify, their influence on individuals who grow up in their midst is profound and far-reaching" (Margalit & Raz 1995, 82). Groups are identified by a common culture and a shared history, "for it is through a shared history that cultures develop and are transmitted" (83). Membership in such groups is, they argue, a matter of belonging rather than of achievement. Membership is not dependent on meeting any criteria or on one's accomplishments:

> To be a good Irishman, it is true, is an achievement. But to be an Irishman is not. Qualification for membership is usually determined by nonvoluntary criteria. One cannot choose to belong. One belongs because of who one is. One can come to belong to such groups, but only by changing, e.g., by adopting their culture, changing one's tastes and habits accordingly – a very slow process indeed (85-86).

This seems like a much more credible description of how one generally comes to have membership in a group, particularly if that group is an ethnic or national group such as French Canadian or Irish, but also if it is religious in nature as in the Jewish example Brighouse gives. We are Irish or British, Catholic or Jewish, because of the circumstances of our birth, and whether or not we would have chosen that culture given the chance to do so, we would be very surprised during our growing up years to find that it was not *our* culture. Anthony Appiah argues that there is no "individual nugget waiting in each child to express itself, if only family and society would permit its unfettered development" (Appiah 1994, 158). Children develop an identity in a dialogical relationship with the family and the particular group surrounding the family. It seems to me a child's identity is as likely as an adult's to be tied up with the culture of their birth, and so any argument in defense of group protection is as much for the benefit of the child as for the parent. It also seems unreasonable to expect, as Brighouse apparently does, that families must prepare children to choose their own culture upon maturity by exposing them to as many different cultures as possible during their growing up years.

It is true that on reaching adulthood, individuals sometimes abandon the culture into which they were born and adopt patterns of behaviour from other cultures, although this is seldom done without some degree of stress. The fact that we may change our culture does not mean that we have lived our formative years without any culture of our own. Children, Brighouse argues, should not be raised "exclusively in the culture of their parents" because "we have an obligation to ensure they are able to function effectively in whatever culture turns out to be theirs when they reach adulthood" (Brighouse 2000, 101). But even if children eventually choose to abandon the culture in which they were raised, they must in the meanwhile be nurtured so that they feel a sense of belonging in the culture in which they find themselves at birth. Children are as much in need of an identity as an adult and a sense of belonging to a particular culture can provide them with that identity and security. In fact, for the child, community and family are most important. For parents to share with children the history, beliefs, and traditions of their culture provides a place of belonging from which children can explore the world. It is only natural that as children share in the cultural, perhaps religious, life of their parents, and attend celebrations or other events as a family, they will come to identify with that culture or religion as their own. As Colin Macleod point out, "Children come to have a sense of self partly by locating themselves in a distinct family history and ongoing participation in the practices identified as valuable by the family" (Macleod 2002, 215).

Children's identities are thus first formed through their relationships with their parents and they naturally assume their parents' way of life as their own. As they grow and interact with others, they will, no doubt, redefine their image of themselves, but in the meanwhile they have been given an understanding of a place and culture with a particular understanding of what is moral or good. Too often, according to Shelley Burtt, "we exclude from consideration not only the needs of children as moral and spiritual beings, but their interests as members of distinct communities" (Burtt 1996, 425). Burtt argues that to give children the resources to live a good life requires more than simply exposing them to many alternatives. We must encourage "parental efforts to create moral environments filled with consistent, not conflicting messages" that "will enhance the child's opportunity to both reflect upon and live a good life" (426, 432). Parents, Burtt says, need to be encouraged in their efforts to create a consistent moral environment for their children.

Because children's needs are best met in the stable environment of family cultures that give meaning to their lives, we would sometimes on this basis have reason to facilitate access to separate schooling. Cultural and religious communities that find their existence threatened by pervasive modern societies may be dependent on such assistance to preserve their particular way of life and create for their children a meaningful and consistent moral upbringing. Common schools necessarily communicate the culture of the predominant society and children enrolled in public schools are likely to find their sense of community challenged by conflicting views they encounter. If this happens before children fully understand the value of their particular cultures, parents' efforts in nurturing their children within that culture are likely to be undermined. Taking the child's needs as spiritual beings and members of particular communities into account lends to a "principle of parental deference" (Burtt 1996, 425). Burtt argues that parents should "possess the authority to refuse a public education they deem destructive to their children's religious life or sensibilities" (428). Similarly, Salomone claims that the child has a right to an education that does not undermine the values held by the family (Salomone 2000). She argues that cognitive dissonance is created when the school curriculum promotes different values from that held by the child's community and that causing children to question parental beliefs may prevent them from forming an integrated sense of self. On the other hand, according to Salomone, studies indicate that identity with a religious culture encourages self-esteem (210).

Callan, on the other hand, fears that attachments to particular communities may prevent the development of justice and thus have negative consequences for society as whole, in effect suggesting that we should exercise constraint in encouraging community ties (Callan 1997). We cannot, he says, depend on the child's attachments to the community to produce the recognition that all individuals have certain rights that must be respected. In fact, the bonds of caring and community may at times come into conflict with the need to defend our rights or the rights of others when they are threatened. "Moral agents need virtues in addition to the care expressed paradigmatically in the love of family and friendship, and their political education must encompass those virtues" (79). Callan suggests that our engagements with our particular cultures or our close relationships with particular others, rather than causing us to act justly, may in fact cause us to regard those outside of our circle with disdain rather than true respect. True justice requires that we see others as possessing worth regardless of any emotional attachment we may or may not feel for them.

For this reason, Callan is reluctant to fully support separate schooling. While parents may claim that separate education in the early years of schooling is crucial to an understanding of their particular way of life, the state may view these years as necessary for laying the groundwork for the development of political virtue (Callan 1997). Callan suggests that an appropriate compromise may be reached by supporting religious schools in the early years of schooling and forgoing to some degree the aims of common education until the later years when children are about to enter adulthood. This would allow parents to instill in their children an understanding of their particular way of life in the early years of schooling, so that the effects of the common culture would be less assimilative in the later years. If however, separate education in the early years is illiberal, working against the aims of common education, Callan says it would be problematic to support it even if it were of brief duration. In any case, for Callan, the argument for separate education can succeed only if one assumes that common education will be resumed after the early years.

Callan's argument takes us back to the point made in the opening paragraphs of this chapter, that is the assumption that Callan and others make that separate schooling and common civic education are necessarily inimical. If, as I have argued, separate education can in fact meet all the requirements of common education, then justice would as likely be engendered in separate as common schools. This being the case, there would be no need to end separate schooling after the early years. In fact, parents may be anxious to extend the period of separate schooling into adolescence, a time when children seem most clearly to be forming a sense of their own identity and thus are most likely to be in need of a stable home and school environment. Educational psychology textbooks stress that

> the premiere challenge of adolescence is the struggle to form a clear sense of identity. This struggle involves working out a stable concept of oneself as a unique individual and embracing an ideology or system of values that provides a sense of direction. … Identity confusion can interfere with important developmental transitions that should unfold during adult years (Weiten 1998, 451- 452).

If adolescence is the stage when children are most likely to embrace their personal identities and ideologies, it is also most likely that these are the years when common schooling would have the greatest impact on them. A few early years of separate schooling would not necessarily reduce the assimilative effect of the common culture during adolescent years. Parents who want to make it possible and likely that children would embrace the culture of their childhood, would want separate schooling to extend into these adolescent years. Once children have passed this stage of development and emerged as young adults, they would presumably have a comprehensive enough understanding of the culture or religion in which they have been raised to be able to determine for themselves whether it is a way of life they want to embrace or leave behind. Separate schooling that meets the goals of civic education need not be restricted to the early years, for it will provide the same sense of justice engendered by common schooling. It will in addition allow children to be educated in the stable environment of their particular community during the most crucial years of their development.

Restricting separate schooling to the early years may in any case not be a good solution for adolescents whose self-esteem is dependent on the value they find in their communities. If cultural membership is indeed most often attained because of the circumstances of our birth, then the culture into which children are born is as much theirs as it is their parents. For this reason we should be reluctant to tear them away from it, even in their later adolescent years. I have already referred to the tragic example of North American native children who were uprooted from their families and placed in residential schools so that they could be assimilated into the common culture. In retrospect it is evident that it would have been better to confer with native cultures before taking such drastic steps. A solution may have been found that would have allowed them to maintain their cultures while adapting in some respects to the changing world around them. It is evident in looking at this example, that it was not only adults who were harmed, but children who were left adrift with no sense of belonging to the new culture, but violently torn from the old. Their healing has been a slow process, only made possible with a restoration of pride in their original culture. Examples of this nature should give us pause when suggesting that children be required to attend common schools rather than sectarian separate schools. Perhaps the situations of the families who apply for support today do not seem as traumatic as that faced by native children placed in residential schools or their loss of culture as critical, but the principles involved remain the same. Cultural membership and identity are important to provide stability for children and we should hesitate to disrupt the process of cultural transmission too early, not just on account of parental wishes, but for the good of children.

Callan's compromise was proposed on the grounds that bonds to particular communities may impede the development of a just society. More often, concerns are expressed that separate education will undermine the child's future autonomy. Macedo, for example, argues that common schools free children from the moral ideals and convictions of their parents or the limitations of the particular community into which they were born and guarantees their right to a life of their own (Macedo 2000). He calls common schools "an antidote to sectarian indoctrination" and argues that they make real freedom possible by providing children with vantage points from outside of their particular group (237). While concerns with regard to autonomy and separate schooling were already addressed in Chapter Three, it is relevant to consider them again specifically from the perspective that community membership is a benefit to the child, even in terms of future autonomy.

Archard argues that some loss of autonomy may be a reasonable trade off for the good that is provided by membership in a particular community. "While providing a child with a firm and secure sense of her identity may not allow her to enjoy a maximally 'open future', this latter may be guaranteed only at the cost of a degree of rootlessness, a feeling of having no steady or fixed sense of who one is" (Archard 2002, 158). But such trade offs may not be necessary and it can be argued that community membership in fact promotes autonomy (Archard 2002, Kymlicka 1995a, Salomone 2000, Spinner-Halev 2000). This claim generally seeks to establish that a firm grounding in one way of life gives one the necessary starting point for the evaluation and comparison of alternatives. Children who grow up in particular communities, it is argued, will have a deep understanding of a particular way of life, allowing them to reflect on what part of that life they want to retain, reject, or alter, and enabling them to compare their way of life to others they encounter. Raising children with a particular moral perspective teaches them how to value some things and disdain others, critical skills in making choices for themselves. Growing up in a secure tradition provides children with sense of identity they can call upon when confronting questions about how they should live, providing, in other words, a context in which to make choices. One cannot evaluate or consider alternatives if he or she has nothing of value with which to compare the alternative. "A self that has no values cannot be said to choose" (Archard 2002, 157). In this way raising children in a particular culture can be said to promote their future autonomy.

It could be argued as well, that if religious parents are not permitted through separate schooling to present their children with a deep understanding of their particular ways of life, their children will not have a real opportunity to choose that way of life, for rarely are their views presented in any substantial or meaningful way in the common school. This effectively forces the choice of a life that is contrary to that of their parents and community, something that would not be in the best interests of the child who is likely to benefit from security of life within a particular cultural group. Therefore, since cultural attachments contribute to the child's good, we have reason to support parental efforts to raise their children within their particular traditions.

Conclusion

In this chapter I have attempted to show that separate schools contribute to the good of citizens in liberal societies. While many liberals have argued that separate schooling limits children's future choices and hence their autonomy, this is not an uncontested claim. An equally coherent argument can be made to demonstrate that particular cultures provide a context from which to compare and evaluate the choices that confront us in the wider culture, thus making it possible for individuals to exercise their personal autonomy. Having acquired a particular understanding of what is good and virtuous, they will have a basis for evaluating other ways of life they encounter, and will be able to make meaningful choices for themselves. This is, however, only one of the benefits to be gained from education in a particular culture or way of life. Such schooling reflects and maintains the multicultural nature of our society, as minorities are allowed to sustain and recreate their unique traditions, languages, or belief systems. Particular cultures provide meaning in individual lives and play an important role in the creation of an individual's sense of identity. Because cultural membership is so important to individuals it is not illiberal for the state to support parents and communities in their efforts to maintain at least certain aspects of their cultures and to transmit those cultures to their children, in some cases through separate schooling. To fail to do so may undermine some individual citizen's pursuit of a personal conception of the good life. It may also undermine parental efforts to provide what is best for their children: a stable and coherent upbringing from a particular conception of religion or morality. Because common schools must necessarily teach only shared liberal values, they cannot offer students a deep understanding of any one particular version of the good. Separate schools on the other hand, while providing all the components of a strong version of civic education, may offer the additional benefit of providing that education from within the context of a particular community, something I have argued is a benefit both to society and to the individual. If separate schools contribute to the good of liberal society, it would seem reasonable to expect that the state would assume some responsibility for their maintenance and support.

V. ILLIBERAL SCHOOLS

In Chapter Three I argued that religious separate schools are as able as common schools to promote tolerance, critical thinking and autonomy. It seems fairly obvious that while many religious separate schools do promote these liberal values there are others that do not. Not all communities or cultures are tolerant in nature, respecting the equality of women or committed to the rights of other national or religious groups. Many liberals point to religious fundamentalism as an example of the diversity that we cannot respect within liberal society. Taylor argues that liberalism cannot compromise on some matters and would not, for example, welcome the kind of religious fundamentalism that called for the assassination of Salman Rushdie (Taylor 1994). The Rushdie affair and other news stories do little to alleviate liberal concerns with regard to fundamentalists. Terrorist activities, for example, are frequently associated with one brand or another of religious fundamentalism. Too often we hear stories of individual suffering at the hands of fundamentalist religious groups. Women under Taliban rule in Afghanistan, for example, suffered terrible injustices, as they do under the rule of religious fundamentalism elsewhere (*Edmonton Journal* July 30, 2002). In Sweden, a young woman was murdered by her deeply traditional Turkish father, apparently because she became too independent (*Edmonton Journal* August 18, 2002). In Canada, a young Hutterite woman who ran from her fundamentalist upbringing had to spend years catching up on her education and becoming adjusted to life outside of the colony in which she was raised (*Edmonton Journal* October 14, 2002). In Ontario, rightly or wrongly, children were removed from Mennonite homes when their parents refused to discontinue harsh corporal punishment (*Globe and Mail* June 15, 2002).

Such reports only help to increase liberal concerns with regard to fundamentalism. While fundamentalist groups like the Amish seem peaceful enough, stories from other parts of the world fuel concerns that some groups would undermine democratic values or use violence against dissidents or members of rival groups. Fundamentalists, it is believed, hold dogmatically to reactionary policies based on religious premises (Dwyer 1998) and leave no room for "reflection on their relationships with other worldviews with which they share the same universe" (Habermas 1994, 133). It is thought that religious parents who do not want their children to think things through for themselves are unlikely to make good educational choices for their children and that they may cause irreparable harm to their children (Curren 2000, Brighouse 2002, Dwyer 1998). In light of this, common education is seen as a "bulwark against … the inclinations of fundamentalists to control their children's education" and an "antidote to sectarian indoctrination" (Brighouse 2002, 207 and Macedo 2000, 237). Nor are fundamentalists the only suspect religious groups. Both mainstream Protestant churches and the Roman Catholic Church were involved in the colonization projects of European nations and stand accused of terrible crimes against aboriginal cultures in the colonized nations. In Canada, Australia, and elsewhere, details of that abuse are still being brought to light as lawsuits are filed against the religious organizations implicated in the destruction of aboriginal ways of life. It is not hard to imagine that aboriginal groups, in particular, would find little cause to support the current educational projects of these churches.

However, not all religious schools, fundamentalist or other, are of such a nature that they warrant denial of state support. The challenge for liberalism is to find a balance between promoting liberal values and supporting particular cultures and the schools they would establish. Tensions exist within liberalism between those who argue that we must embrace the widest possible range of diversity and those who argue that liberalism must promote the values on which it depends without apology for the erosion of unreasonable forms of pluralism. Galston argues that while we may put pressure on illiberal groups to conform, we must stop short of banning even those groups that adhere to racial or gender inequality. Callan and Macedo are more inclined to promote liberal values even when doing so erodes some form of diversity, arguing that we cannot tolerate illiberal or unreasonable groups that would undermine the liberal democratic state (see pages 48-52). We do not seem to have any definitive liberal response with regard to the ways of life we should tolerate within our states. How then can we determine a correct response to groups we consider illiberal?

Liberalism is committed to individual rights and for this reason could not tolerate groups that infringe on the rights of their members or on other groups they may view as rivals. As De Jong and Snik claim, "If liberal morality implies that individuals have the right to be protected against the state in order to develop and live in accordance with their conceptions of the good, they also have a right to be protected against the communities they are born into" (De Jong & Snik 2002, 575).

One of the main concerns with religious fundamentalists is their lack of commitment to the equality of women. In many groups women and girls are discouraged from assuming leadership roles or careers that are deemed inappropriate for women. Some immigrant cultural groups still insist on arranged marriages, at least for their daughters, coercing the young women in question into agreement with threats of abandonment, rejection or worse. Some religious cultures refuse medical treatment for their children on religious grounds, others inflict harsh and unreasonable punishment on their children. These are injustices that liberal society cannot support. We might argue that as members of the greater society, women who are members of a minority culture have the same rights as other women and could therefore choose to exercise those rights, if necessary by leaving their community. But I have already argued that it is difficult and traumatic to abandon one's culture or religion (120-121) and young women may not have the resources necessary to do so. The state must therefore ensure that women's rights are protected within the group itself. The same is true for children, whose welfare must be ensured. Liberal society cannot turn a blind eye to injustices that may occur within minority cultures and some interference in illiberal cultures may be required to protect the interests of children.

However, the fact that liberalism is committed to individual rights is also the very reason we would be inclined to support the right for cultural groups to resist assimilation. If groups are to maintain their meaning for individuals they must also be allowed to maintain the identities that made them meaningful in the first place. To respect the rights of the individual members who identify with a particular group, we cannot simply choose to redefine that group because we believe that our way of life is preferable. There is little value in maintaining identity with a group if it cannot be distinct from the majority culture. However, a commitment to the rights of groups to define themselves may sometimes have troubling consequences, for many religions define as immoral, behaviour that is accepted as legitimate by liberal society or as moral, behaviour that is condemned by liberalism. These moral and ethical positions are likely to be the consequence of deeply held religious beliefs and it may in fact be a matter of religious freedom that the group be allowed to maintain their distinct values. Religious groups may hold controversial positions with regard to homosexuality or abortion, but if we require such groups to refrain from communicating these views to their members, we are not allowing groups to maintain what is important and in some cases critical to their religious beliefs. Religious cultures embed deep beliefs about the very nature of mankind and the way in which one must live before God that cannot yield to liberal policy. Each cultural group must "to some extent be impervious to the values of the wider liberal society" (Kukathas 1995, 247).

Kymlicka suggests that in determining what can be tolerated under liberalism it is worth remembering that all liberal nations have illiberal pasts and required a "prolonged process of institutional reform" (Kymlicka 1995a, 95). The liberality of a culture is always a matter of degree and "all cultures have illiberal strands" (171). The fundamentalist school described by Peshkin and the Catholic schools so disparaged by Dwyer may well have changed since the time Peshkin conducted his study and may have adopted more liberal values. Harsh disciplinary measures and inequitable treatment of women and girls, after all, reflect what was at one time standard practice in most common schools but that has since come to be rejected. It seems reasonable to suggest that the religious schools may also have changed considerably in the twenty years since Peshkin completed his study. In some cases changes can be coerced by the state. Financial penalties, for example, not too long ago persuaded Bob Jones University to begin accepting black students and changing some of its more overtly racist policies. In other cases changes may be initiated from within. It is easy to imagine young girls, well aware of their political and legal rights, fighting to attain at least a degree of independence within their communities. My personal experience suggests that at least some religious separate schools today have no restrictions on the leadership roles of girls or women, welcome all students regardless of race, and encourage open debate on a range of topics.

While I am only speculating here, it may be that most fundamentalist communities that find themselves situated in liberal societies will gradually adopt liberal values. However, we might fear that this is too slow a process to be depended on. New immigrant groups may take decades to assume liberal values and it is reasonable to assume that groups that are able to cut themselves off from society such as the Amish or Hutterite communities, might change little over the years. Yet, Amish and Hutterite communities have long allowed the establishment of state funded public schools within their communities. On Canadian Hutterite colonies, such schools traditionally do not educate children past the eighth or ninth grade when most children have reached school leaving age. Recently, however, Hutterite colonies in some provinces have allowed children to stay in school to complete grade twelve and some colonies allow a number of children to earn university degrees and return as teachers to colony schools. (Brandon University in Manitoba has developed a program specifically to provide teacher education for students from Hutterite colonies. See www.hutterianbrethren.com). While this is not yet typical, it is arguably evidence of the gradual influence of outside values, even on the most closed of communities.

We cannot, however, simply wait for groups to assume more tolerable characteristics. If we wish to draw marginalized cultures into the liberal community, it may be necessary to establish some grounds for communication, even if that means for a time accepting some practices that we deem illiberal. Callan suggests that within certain limits we may choose to tolerate some ways of life outside the bounds of reasonable pluralism simply because coercion is not the best way to deal with unreasonable forms of pluralism (Callan 1997). To disparage or alienate such groups would serve no purpose. If fundamentalist communities are to be encouraged to become more liberal, this must be done in a way that respects their right to ascribe to their particular beliefs and retain their unique identity and not merely with the intent of assimilating them into the larger culture.

Yet any argument for separate school funding could not simply recommend the funding of all schools regardless of their liberal or illiberal nature. In considering the significance of cultural membership for liberal educative efforts, McLaughlin states that "from a liberal point of view, membership in a distinctive cultural community is not ground for claiming that a form of education *radically in conflict* with liberal principles is justified" (McLaughlin 1992, 119). It is apparent, therefore, that a recommendation to support separate schooling must suggest some way of determining what schools would qualify for funding. Considering the conflicting arguments put forward with respect to recognizing minority groups this seems like a formidable task. Perhaps, however, it is less difficult than we assume. Following Dwyer's suggestion (see pages 39-43), we could establish criteria that any schools, common or separate, would be required to meet in order to qualify for funding. This would allow support to be denied to schools that did not provide a sufficiently rigorous academic program, that did not implement just hiring practices, or that promoted hatred or racism through entrance policies or in the material they presented. It is not unreasonable to require schools to present a balanced academic program while still allowing them to present their particular religious perspective. Where religious separate schools have for some time been fully or partially funded, whether in Europe or in some Canadian provinces, state regulation of such schools has come to be common practice and seems to be accepted by most schools as a necessary requirement for state assistance. After all, few citizens would recommend unmonitored spending of public funds. It is likely that all religious separate schools intend to provide a quality education, but find themselves hampered by lack of funds from doing so. It is probable that most would be willing to comply with reasonable regulations in return for state support. Of course, any regulations designed to ensure the acceptability of the education that was offered in separate schools should not be such as to undermine the very character of the group in question. Rather, they must be designed to ensure the integrity of the particular group that has chosen separate schooling for the very purpose of nurturing their particular way of life.

Were a system to fund and regulate separate schools to be implemented, it would not solve every problem posed by illiberal cultural communities. Inevitably there would be some communities that would be unwilling to accept funding for fear of state interference with their deeply held religious beliefs, and some parents, as Dwyer says, that would not be "induced by financial incentives" (Dwyer 2002, 215). Perhaps the only response we can make in these cases is to allow those communities to continue to educate their children according to their beliefs as long as children's basic liberties, the right to be nurtured and cared for, are not denied. We cannot, by force, change what people believe to be true about God and his dictates. Probably we do not even have a right to do so. Were we to try, it would no doubt prove to be traumatic and harmful for the individuals involved. But the fact that some groups and some schools continue to fall outside the bounds of what is acceptable in liberal democracies should not deter us from providing state support for those separate schools that offer children a rigorous civic education while nurturing them in particular ways of life.

VI. CONCLUSION

I began this study with an examination of the case of *Waldman v. Ontario*, in which Arieh Waldman appealed to the United Nations on the grounds that he was the victim of religious discrimination as a result of the inequitable school funding policies of the province of Ontario. Waldman's goal was to secure funding for the religious separate education he provided for his children. While the United Nations Human Rights Committee ruled in his favour, Waldman was never granted support for the education of his children in the Jewish day schools they attended. There are, however, good reasons for liberal states to offer such support for religious separate schooling.

Waldman's appeal was made on the grounds that it was discriminatory to grant a privilege to one religious group while denying the same rights to another. An examination of the issues surrounding this case and the prior case of *Adler v. Ontario*, suggests that he could indeed claim discrimination on these grounds but that there may also be other rights he could claim to appeal for separate school funding. In the second chapter of this thesis I considered what rights Waldman might be able to claim in order to advance his case. He could, for one, could claim that as part of his right to freedom of religion he has the right to give his children a religious education and that the state should not deny funding for his children's schooling when he exercises that right. He may also claim that as a parent with responsibilities related to childrearing he has the right to determine how he will carry out those responsibilities and that this includes the right to choose the kind of education his children will receive.

However, appeals for separate school funding based on rights that parents hold may fail to address the needs of children whose education is at stake. Children's needs must be the focus of any decisions with respect to education and the quality of that education should be a main consideration. Critics of separate schooling argue that children who are withdrawn from public school will be ill prepared to assume citizenship roles and will not receive the education for autonomy they deserve. In this, however, I believe they are mistaken. Recent work on citizenship education has proposed that the main goals of liberal democratic educative efforts should be the development of tolerance and critical thinking skills necessary for democratic deliberation and the future autonomy of the child. As I argued in Chapter Three, religious separate schools are able to meet these goals, producing students that are both tolerant and personally autonomous. While religious schooling is often regarded as inimical to the development of critical thinking skills, religion in fact directs children to think about some of the most important aspects of human life, and religious beliefs do not preclude reflection. The education that children receive in separate schools can be equal to any that children receive in common schools, particularly if separate schools are sufficiently funded. In making its argument in the Waldman case, the province of Ontario argued that funding religious schools would undermine the efforts of the state in providing a civic education devoted to the promotion of tolerance and respect for diversity. But separate schools that provide a civic education equivalent to that offered in common schools could hardly be said to jeopardize state educational goals. Rather, such schools are participating in the state project of offering all children an education that will prepare them for future citizenship.

In Chapter Four I showed that separate schools, while preparing students for citizenship, also do work that common schools cannot do. North American democracies are pluralistic in nature, populated by citizens from a wide number of cultural and religious backgrounds. For many of those citizens individual identity is deeply connected to their particular cultural group. Because of the importance of such groups to their members, it is not illiberal to support cultural groups that take measures to maintain their identities. As common schools tend to assimilate difference, parents like Waldman, who wish to nurture their children in a particular way of life, may want to enroll their children in separate schools that promote their cultural or religious morals and values. Children who are raised in a particular culture develop a deep understanding of a particular way of life, and are given a starting point from which to evaluate other ways of life they encounter. An education in a particular culture benefits children in that it ensures stability in their upbringing by confirming the values that their family promotes and, in some cases, provides a uniquely spiritual way of seeing the world. For individuals who find meaning in particular cultures, separate schools provide a benefit that cannot be found in common schools.

While I believe that the arguments I have advanced provide good reasons for state support of separate schooling, some challenges remain with regard to such a project. Not all separate schools are likely to be liberal in nature and some schools may promote ways of life that cannot be tolerated in liberal democracies. Therefore any plan to fund separate schooling must also be accompanied by appropriate regulations and requirements that any school, common or separate, must meet in order to receive state support. Such regulations would require schools to respect the rights of the students they enroll and the staff they hire. At the same time, however, the right to religious freedom would require that the state not interfere with the practices that define religious groups. In certain situations these two principles may well come into conflict, making the drafting of regulations more than a little challenging. Can a particular school, for example, deny employment to individuals on the basis of their religious beliefs? To do so would seem to undermine the individual right to freedom from discrimination, but religious separate schools that were required to hire teachers who did not support their particular beliefs would soon find their identity eroded. We cannot assume that it would be simple to define the boundaries between those schools we could agree to fund and those we could not. Of course, the fact that there are some liberal democracies that successfully fund a variety of religious schools should suggest that it is possible to overcome the challenges that such programs face.

Providing an education for all children in any state is a challenging project and of course that challenge is compounded when the state is pluralistic in nature. A single common school system would seem more manageable than a system that attempts to meet the needs of a variety of cultural groups. We can well imagine that resources may limit the number of separate schools that could be supported. But creative solutions such as shared space or shared transportation may help to alleviate the problems of limited resources. If the rights and interests of parents and children suggest that the state should fund religious separate schools, we should make some attempt to overcome the practical problems that we would encounter in doing so. A state that supports freedom of religion and freedom of choice should not penalize individuals when they exercise that choice, and a commitment to providing an education for all children should not exclude those children enrolled in religious or other separate schools. I would suggest that both Waldman and the *Adler* complainants had good reason to expect state support for their children's education. States that are committed to providing education for all children should not deny that provision when education is given from a particular perspective in separate schools. At the very least legislators and policy makers should consider the question of separate school funding in light of arguments that show that such schooling benefits children in pluralistic liberal democracies.

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